# State of Delaware EPCRA Reporting



Reporting Year 2018
Presentation #2

# **ON-LINE REPORTING**

# What's in this Presentation...

- How to find & log into *TierIIManager*<sup>™</sup>
- How to register as a user
- How to set up a facility
- How to complete a Tier II (EPCRA 312) report
- How to do a Tier II revision
- How to do other EPCRA reports (302, 311)
- Tips based on experience

# You can start at our DNREC webpage (search for DNREC EPCRA)...



### Home

- Director's Message
- DWHS Contact Info
- DNREC Newsroom
- DNREC Employment
- DNRFC Public Notices
- DWHS FAQs
- DWHS Councils and Committees
- DWHS Sections & Branches
- DWHS Office Locations DWHS F-News Lindate &
- Quarterly Newsletter
- **Environmental Crimes** Unit Survey
- DWHS Organization

### Services

- Business Services
- Contractor Licensing and
- Certification Email List Subscription
- Env Release Notification **Environmental**
- Navigator
- Forms / Applications
- Licenses
- . Loans / Grants Online Services
- Permits and Approvals
- Related Links

### Information

- Educational Resources
- Enforcement and Compliance Info
- Environmental Databases
- Freedom of Infomation Act Request
- Publication and Reports
- Requests for Proposals / Requests for
- **Oualifications**
- Rules, Regulation, Laws Secretary's Orders
- Whole Basin
- Management

# Division of Waste and Hazardous Substances

Division of Waste and Hazardo

Emergency Planning and Community Right-to-know Act (EPCRA) Reporting Program

The Delaware EPCRA Reporting Program is situated within the Delaware Department of Natural Resources and Environmental Control (DNREC)'s Emergency Prevention and Response Branch. The program is responsible for the collection, management, and dissemination of information reported under the federal Emergency Planning and Community Right-to-Know Act (EPCRA) (42 U.S. Code Chapter 16), as well as Delaware law (16 Del Code 63) which builds upon the federal requirements.

EPCRA includes a number of reporting requirements for businesses, including information on the storage, use, and release of hazardous and toxic chemicals. Annual Hazardous Chemical Inventory and related information is collected and maintained in a secure web-based system for access by emergency planning and response organizations statewide. Toxics Release Inventory data is also computerized and annual reports are prepared and released to the public. The EPCRA Reporting Program provides compliance guidance for the various reporting requirements to businesses, and also provides information to the public.

### Background

In 1986, the federal Superfund Amendments and Reauthorization Act (SARA) was signed into law. Title III of SARA was a free standing statute, known as the Emergency Planning and Community Right-to-Know Act (EPCRA). EPCRA serves two main purposes. First, it mandated the establishment of networks for chemical emergency planning at the local level, and promoted public participation in managing chemical risks in the community. Second, it established a series of reporting requirements for businesses, to provide information to emergency planners, responders, and the public. In 1991, Delaware established its own EPCRA law (16 Del. Code 63), which built upon the federal requirements. Lower thresholds were established for some reporting requirements, and reporting fees were established for annual Hazardous Chemical Inventory (Tier II)

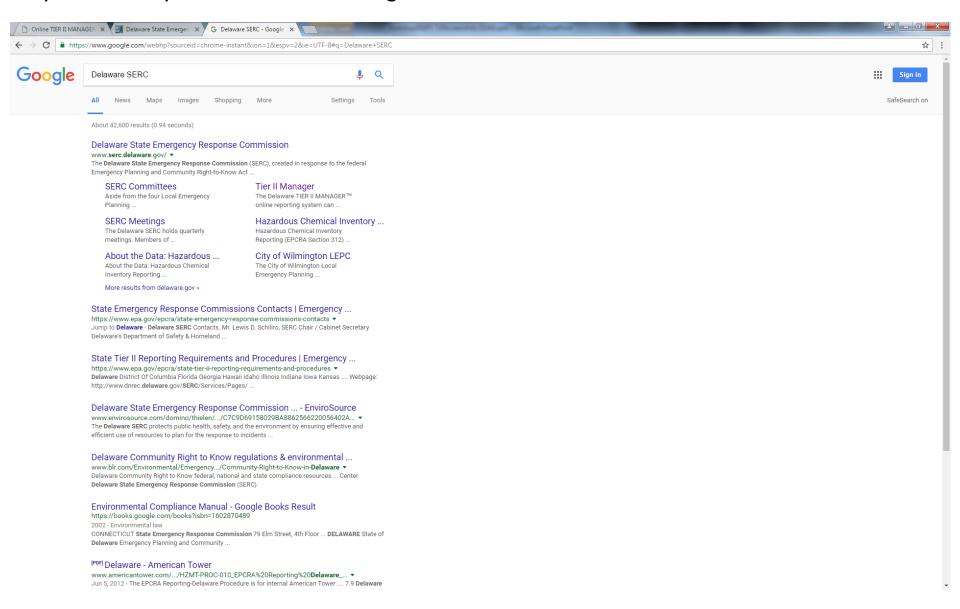
### SERCs and LEPCs

Under EPCRA, each state is required to establish a State Emergency Response Commission (SERC) to be comprised of representatives from various state and local government organizations and industry. The SERC enhances emergency response and preparedness capabilities through better coordination and planning. The SERC also establishes local emergency planning districts and appoints Local Emergency Planning Committees (LEPCs) for each district. Four LEPCs have been established in Delaware: New Castle; Kent County; Sussex County; and City of Wilmington. The LEPCs prepare emergency response plans and meet regularly to encourage public involvement at the local planning level. The Hazardous Chemical Inventory (Tier II) reporting fees collected from businesses are primarily used to support the operation of Delaware's LEPCs

Information concerning chemicals used, stored, and/or released from specific facilities can be obtained by submitting a Freedom of Information Act request.

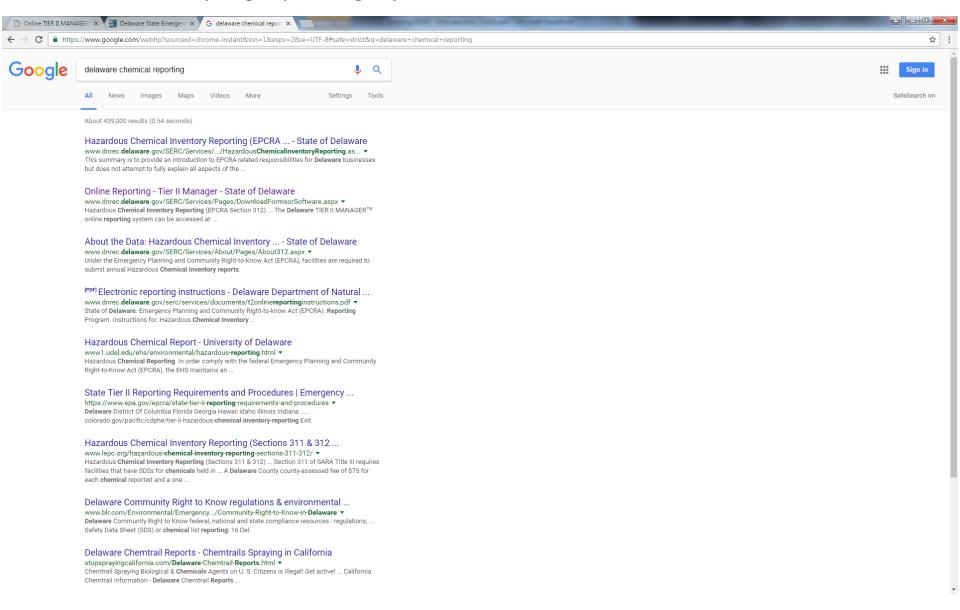
To contact the EPCRA Reporting Program for more information, please click here

Or you can use your favorite search engine...



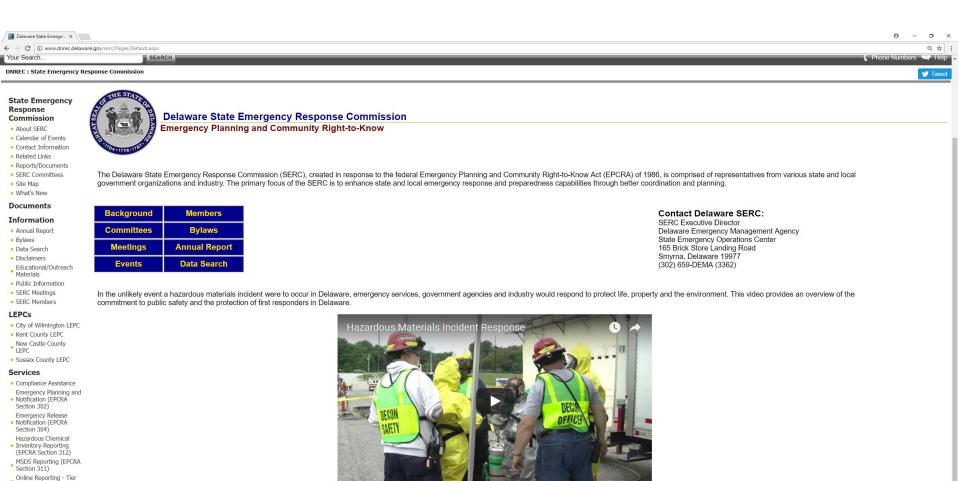
... in addition to being listed in our email, there are many ways to search for the website

# Your browser history might yield slightly different results based on search terms...



# Let's begin at the SERC webpage...

II Manager Toxics Release Inventory Reporting (EPCRA

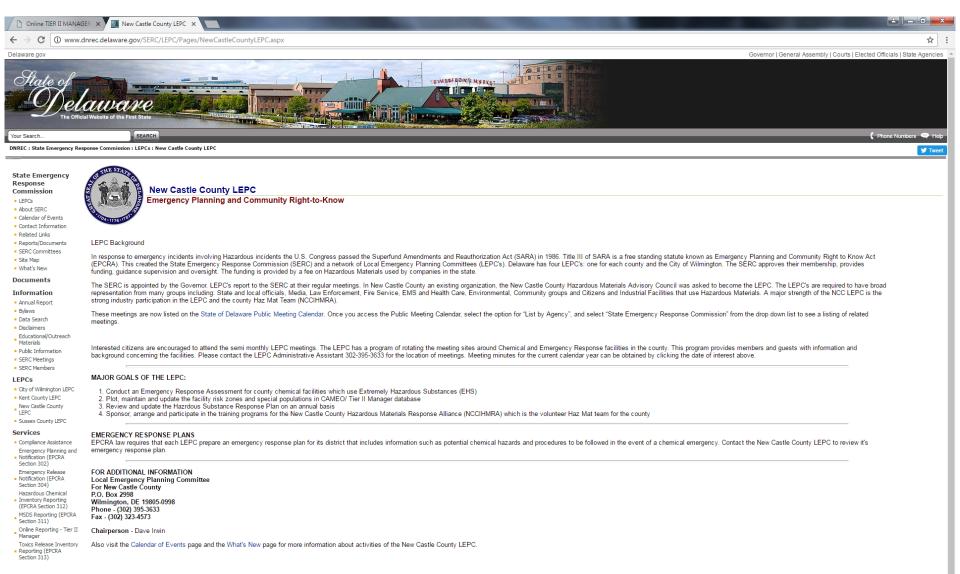


site map | about this site | contact us | translate | delaware.gov

## ... note the links to **LEPCs** and **Services**

... the 20-minute video might be blocked inside the State firewall

# For example, here is the New Castle County LEPC...



... you can find when & where your LEPC meets

# Under "Services" this is the on-line reporting portal...



### Information

- Annual Report
- Bylaws
- Data Search
- Disclaimers
- Educational/Outreach Materials
- Public Information
- SERC Meetings
- SERC Members

### **LEPCs**

- City of Wilmington LEPC
- Kent County LEPC
- New Castle County LEPC
- Sussex County LEPC

### Delaware TIER II MANAGER<sup>TM</sup> BACKGROUND

Annual Tier II reports (often referred to as EPCRA Section 312 reports) in Delaware are submitted online using Tier II Manager™ system. EPCRA Section 302 and 311 reports are submitted online as well. The system is accessible through the Internet using typical Web browsers, and no special software is necessary. Facilities that have previously reported will not need to re-enter all their data. Instead, they can update and submit using their previous data already loaded in the system. Tier II Manager™ also offers the option to pay fees on-line by a variety of methods. With the Tier II Manager™ system, updated information submitted by facilities can be viewed immediately by emergency planners and responders, avoiding delays associated with processing of paper forms. In addition, the system has built in edit checks, to help avoid common errors.

### Tier II Reports are due annually by the first day of March each year.

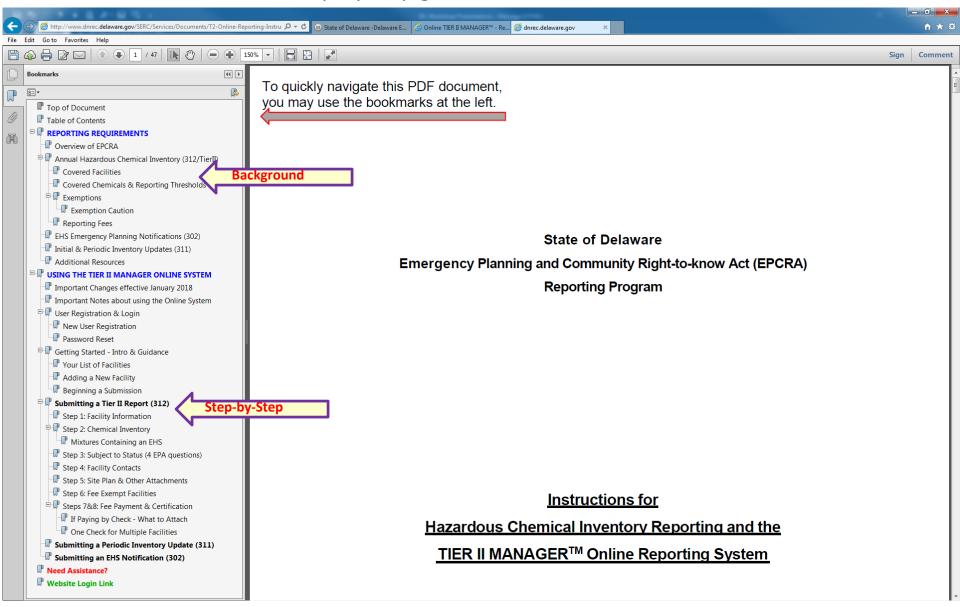
\* For more detailed assistance in using Tier II Manager™, please call the Delaware EPCRA Reporting Program at (302) 739-9405, or send an e-mail to Christie Ray (Christie Ray@state.de.us) or Bill Davis (William.BDavis@state.de.us).

### **Notice of Changes**

For important updates on changes to the reporting requirements, please see the "What's New" page.

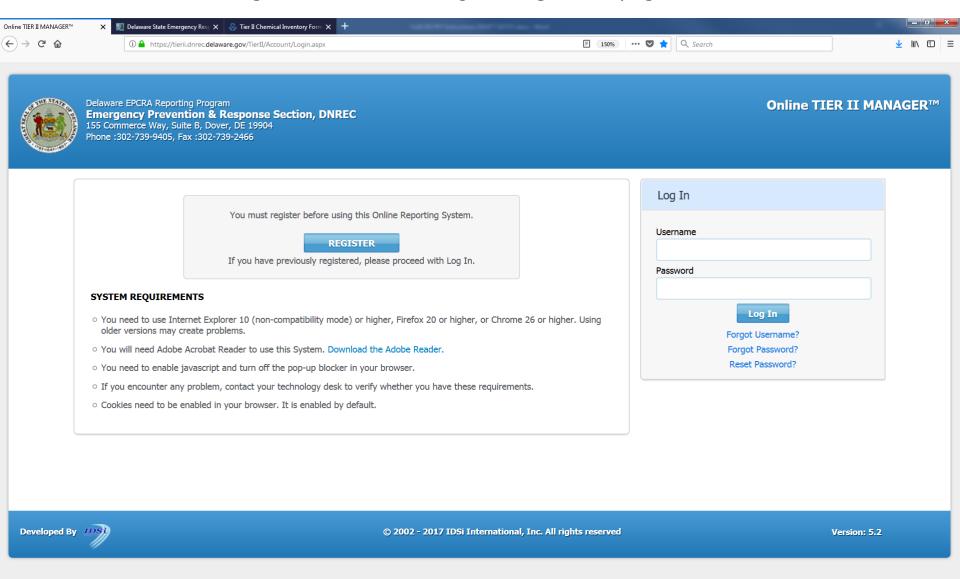
... this page includes instructions and The Link to TierIIManager<sup>TM</sup>

The online instructions offer step-by-step guidance...



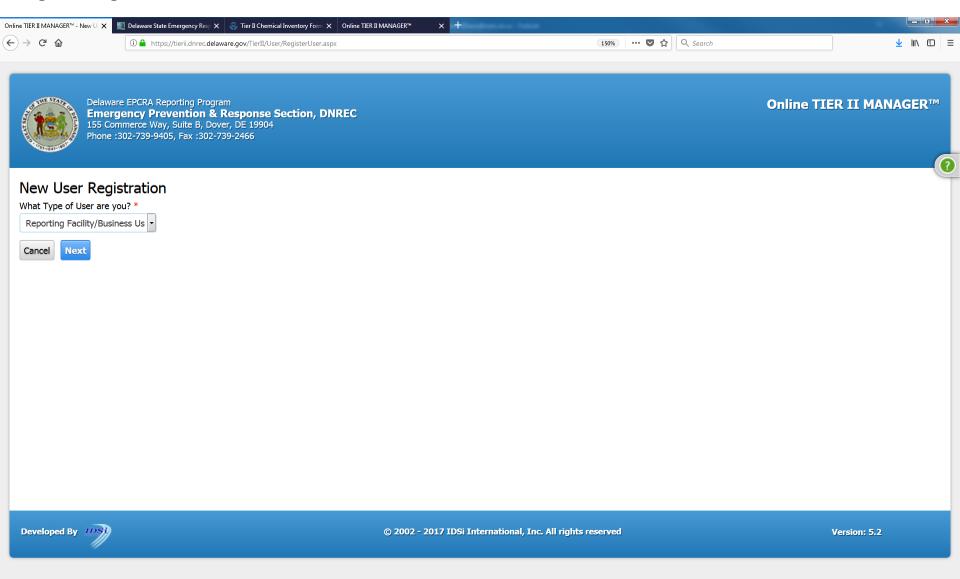
... new this year are the enhanced bookmarks.

This is what we're looking for: the *TierIIManager*™ log-in webpage...



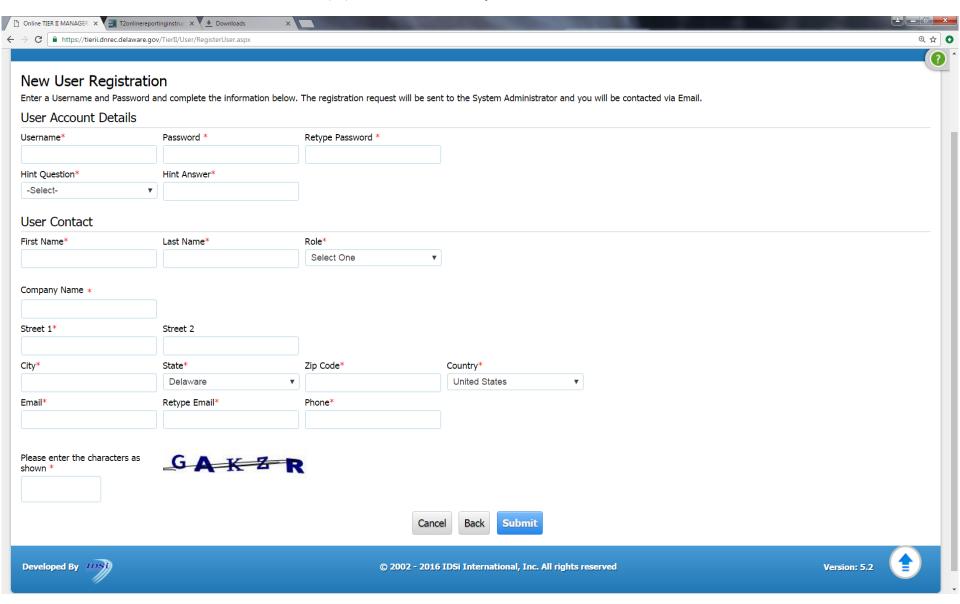
... available from DNREC's EPCRA webpage or the SERC webpage or your favorite search engine

# Registering as a new user...



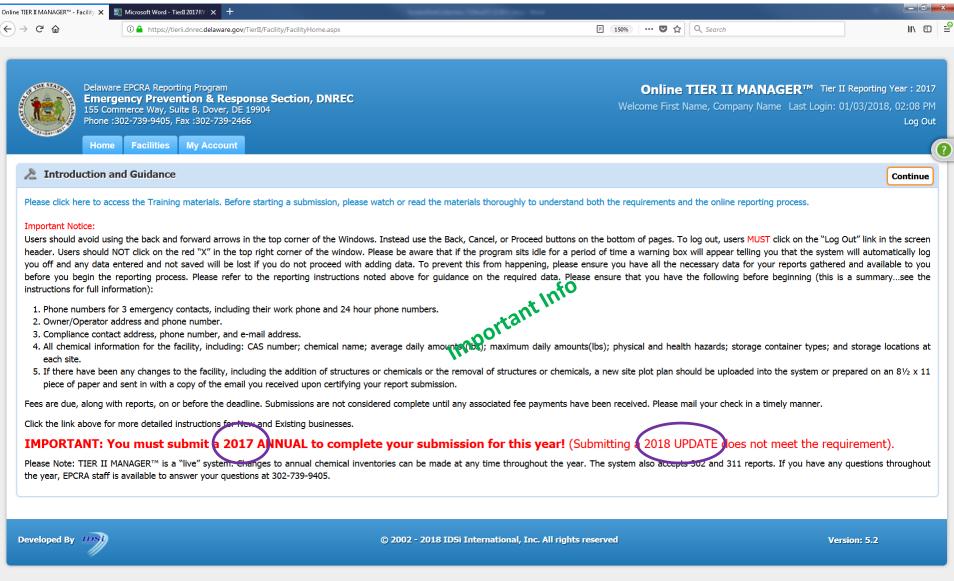
... be sure to select "Reporting Facility/Business"

All the boxes with a red asterisk (\*) must be completed...



... username must be 12 characters or less, and it doesn't have to be fancy

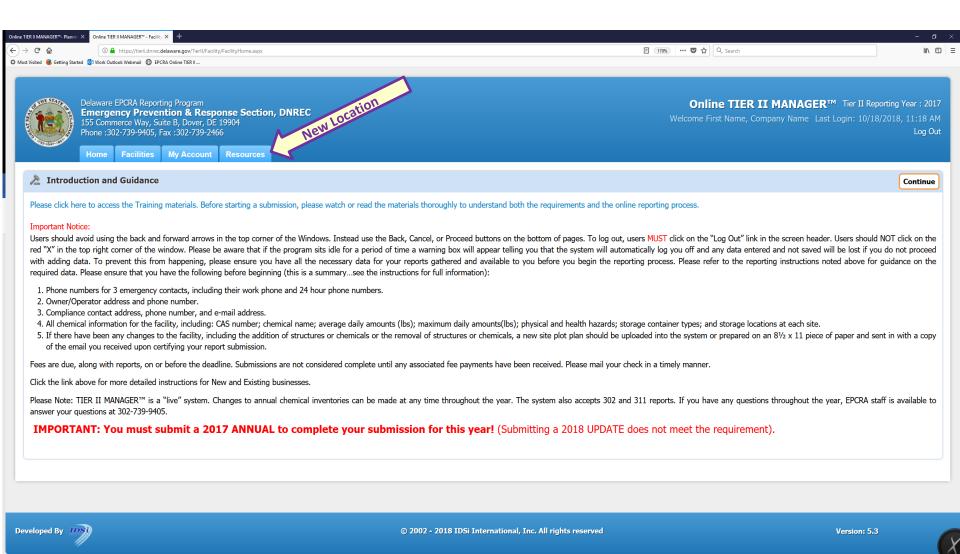
# Helpful hints & detailed instructions are available by clicking on this page...



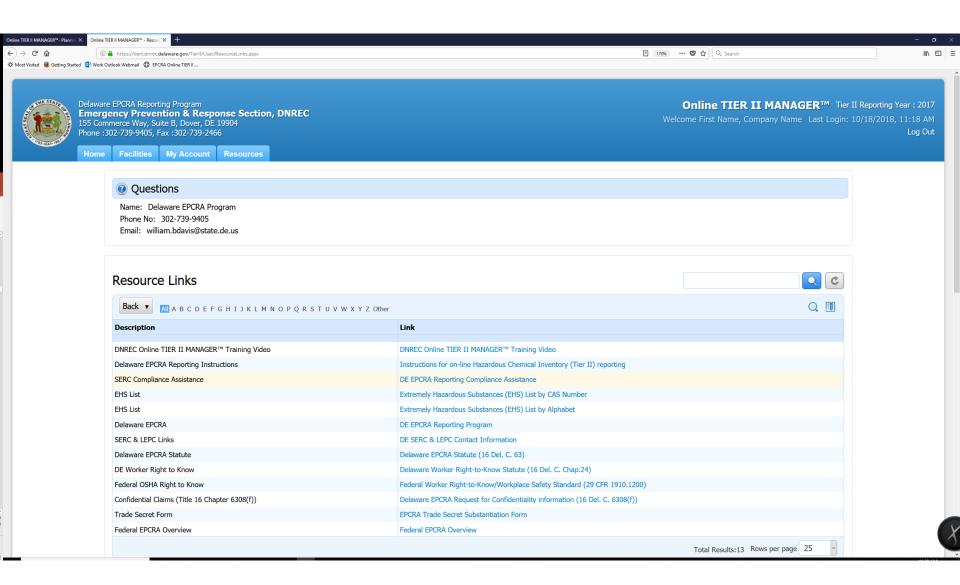
# Reiterate Important Introduction & Guidance Points

- Don't use browser buttons (back & forward arrows)
  - Use Back, Cancel, or Proceed buttons at the bottom of pages
- Collect necessary info before starting
- Fees are due by March 1<sup>st</sup>
- Chemical Inventories can be updated throughout the year

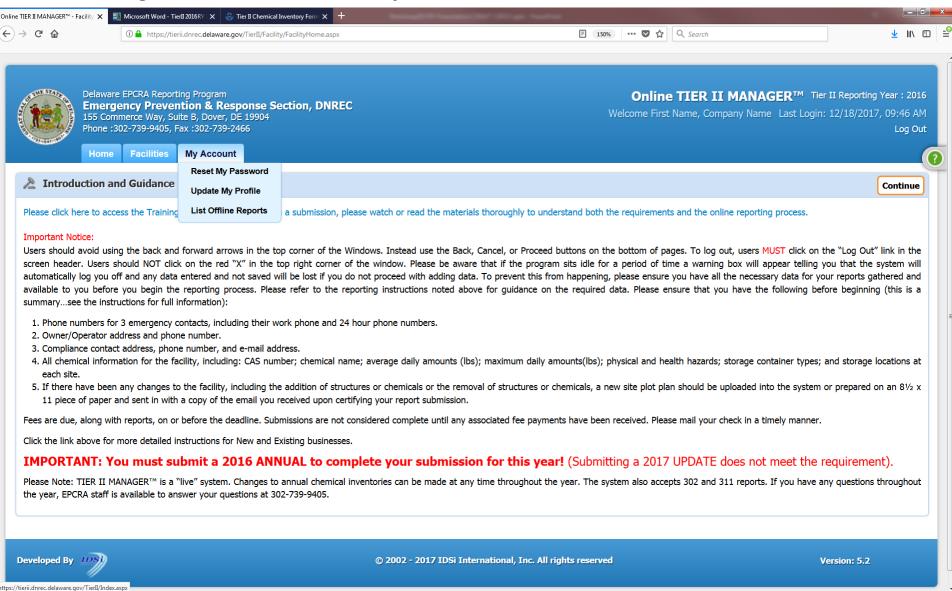
# The **Resources** have moved to a new tab...



# There are a variety of additional resources...

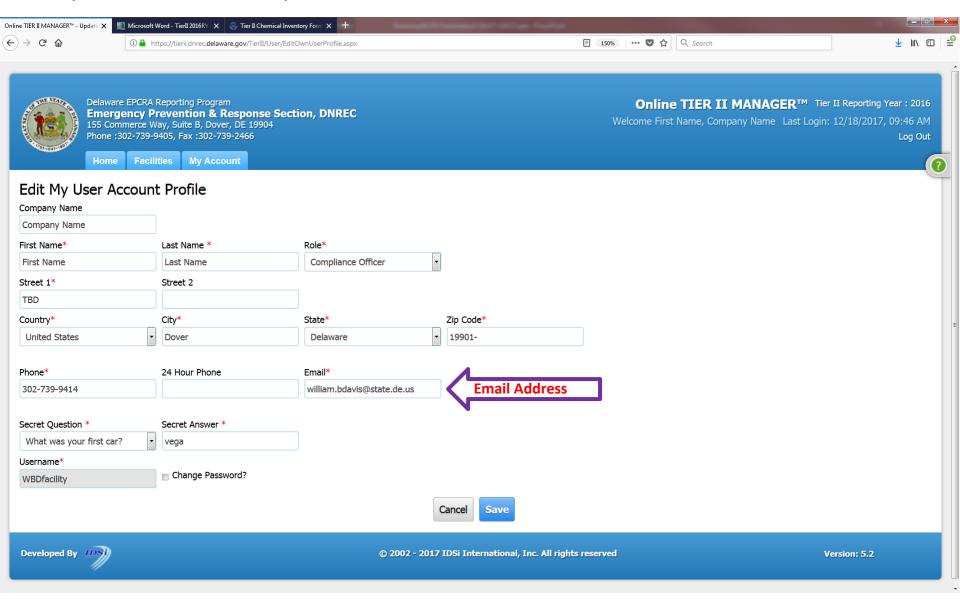


# Before we begin, let's take a look at "My Account"...



... for how to change Passwords & Email address

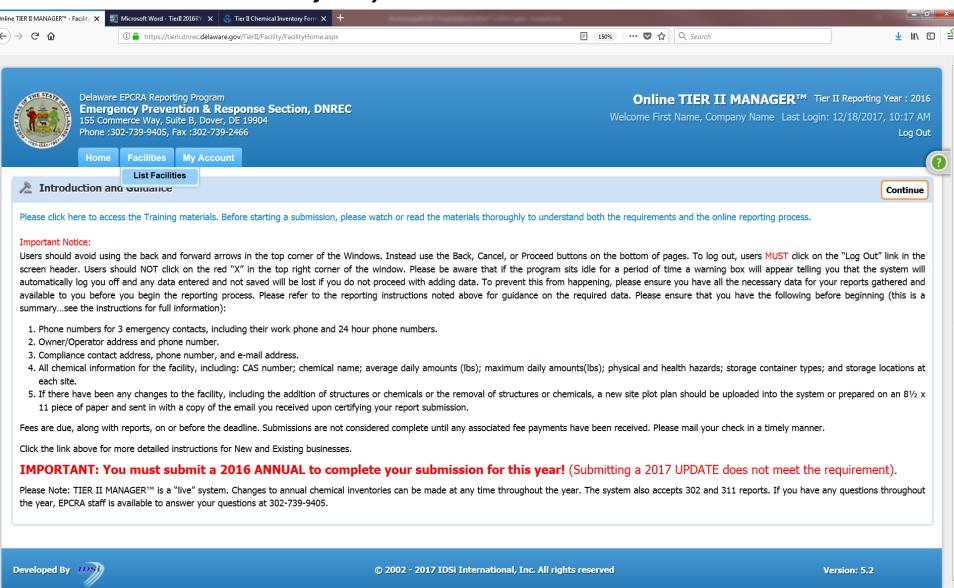
It's important that we have your current email...



... the *Regulatory Point of Contact* is who we send out relevant news & reminders

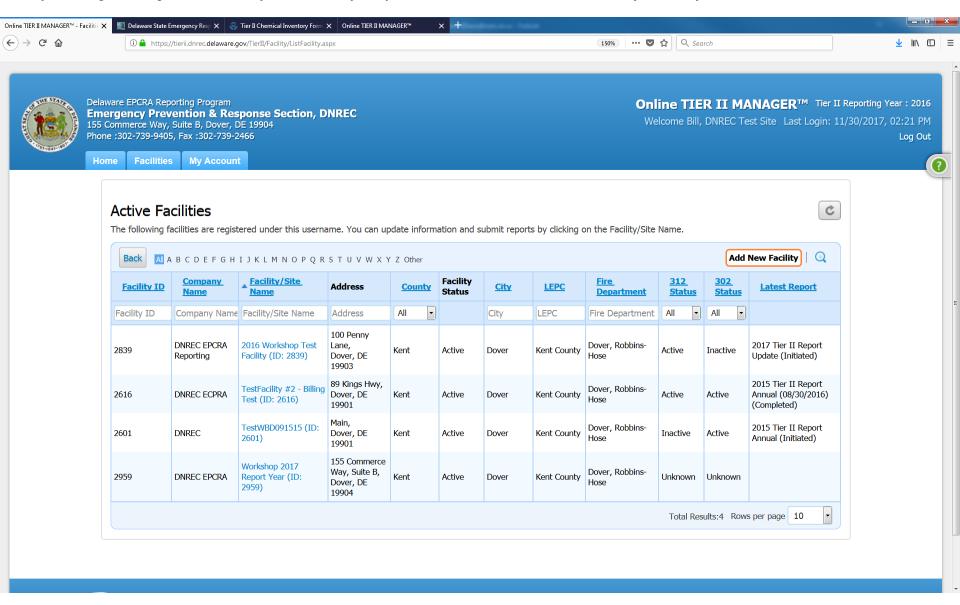
# Next we either find or create a facility...

tps://tierii.dnrec.delaware.gov/TierII/Facility/ListFacility.aspx



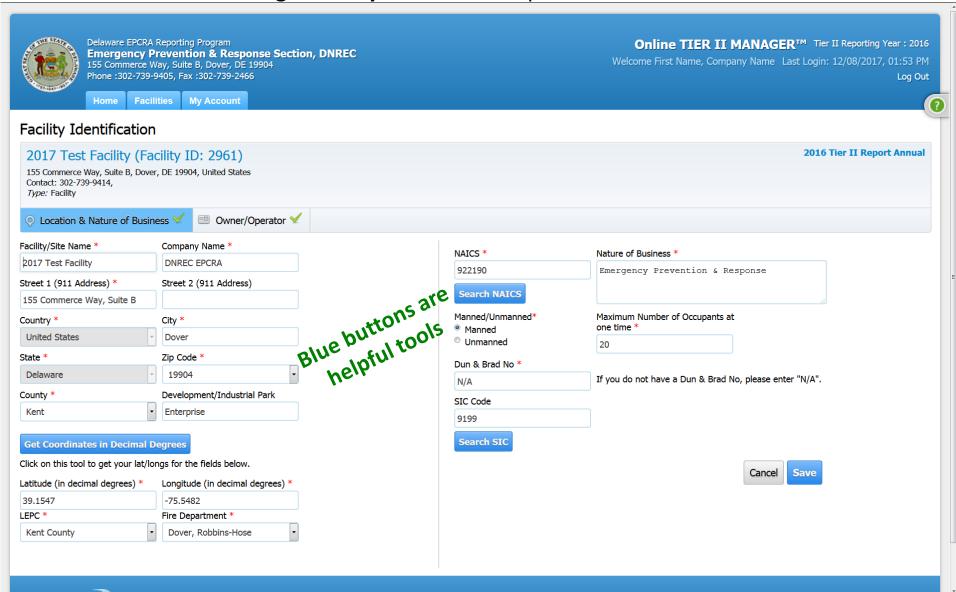
... click on the List Facility tab or the Continue button

To pick a *facility* that has previously reported, click on the facility that you want in blue ...



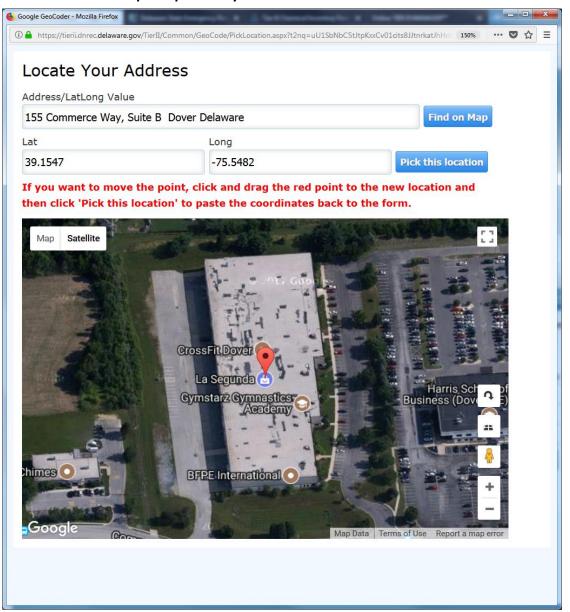
...or Add a New Facility if it's not in the database yet

This is the screen for **Adding a Facility** that has not reported before...



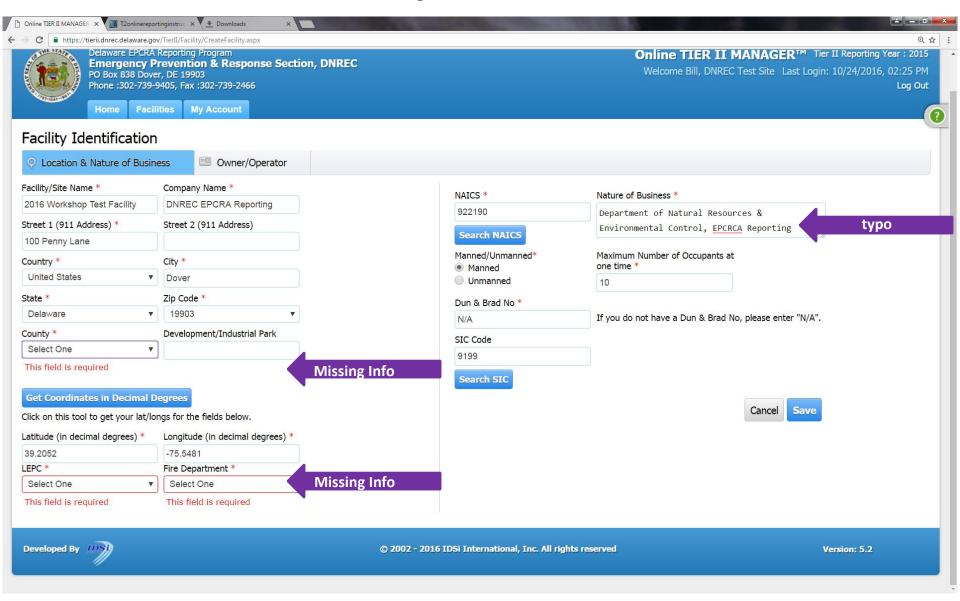
... be sure not to add a duplicate *facility;* contact us if there is any doubt

The Latitude / Longitude tool can pin-point your location...



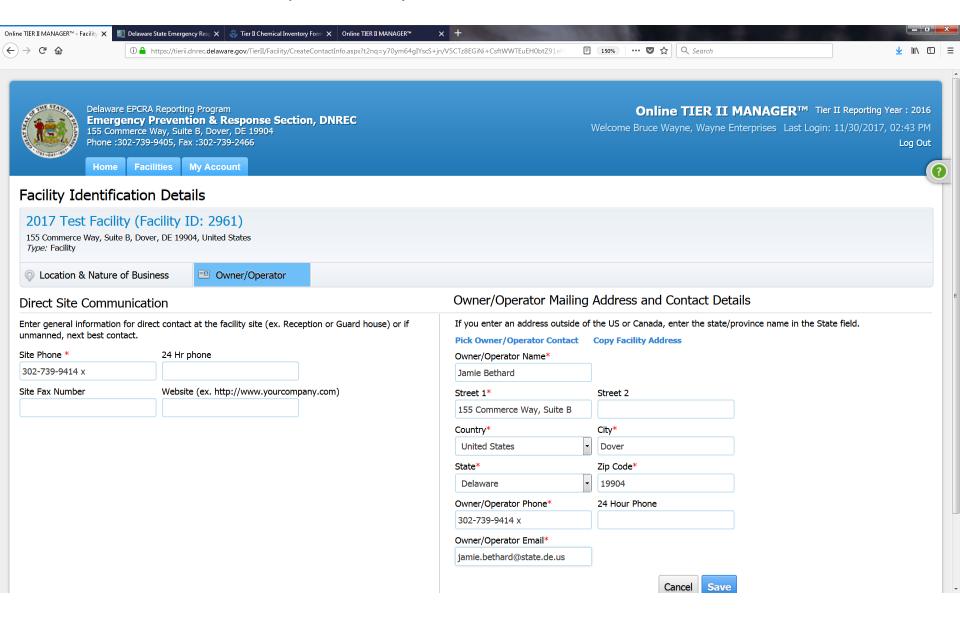
...where do you want the fire trucks to come?

# T2M has built-in checks to look for missing info...

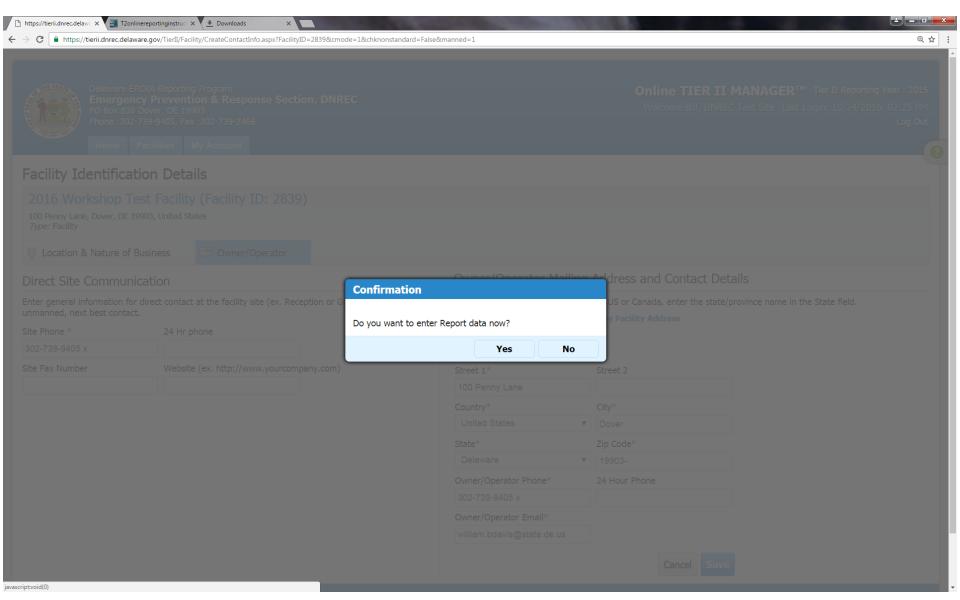


... but it can't detect all mistakes

# There is a second tab to complete Facility Information...

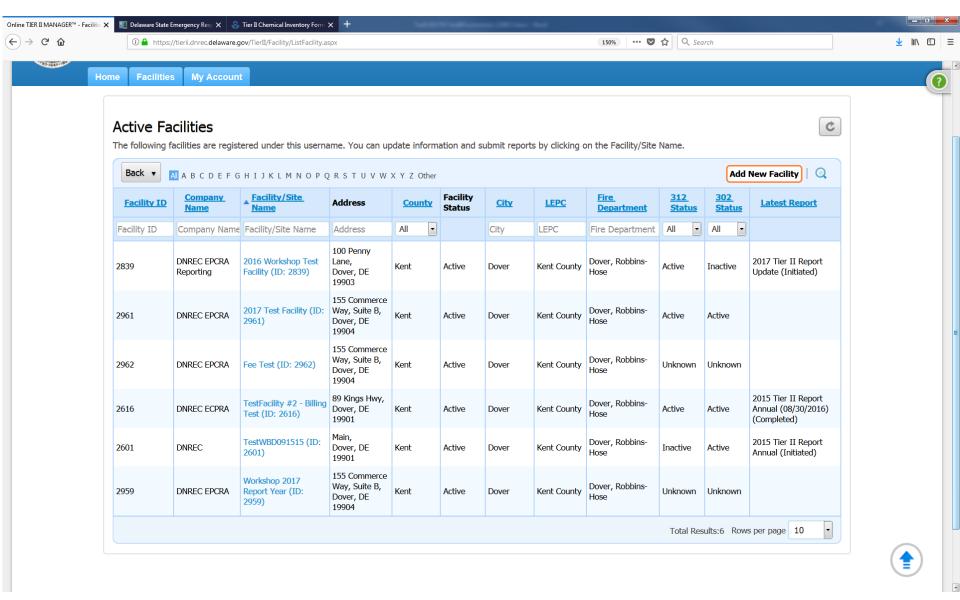


After setting up a new *facility* you can continue completing the report...



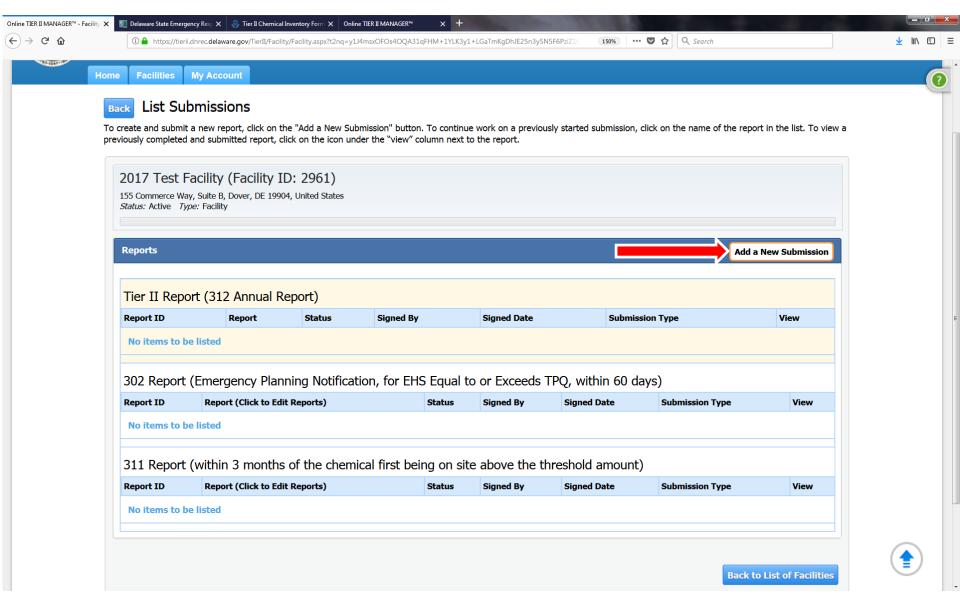
... or you can stop & come back later; the data will be saved

See that our new *facility* has been added to our list...



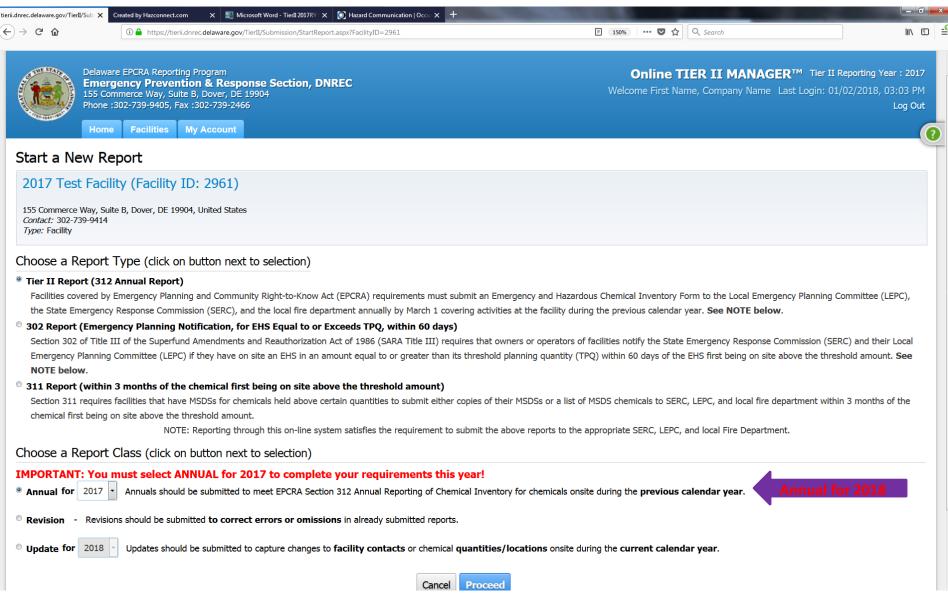
... click on the blue "2017 Test Facility (ID:2961)"

# After selecting the facility, you can view its 312, 311, and 302 reporting history ...



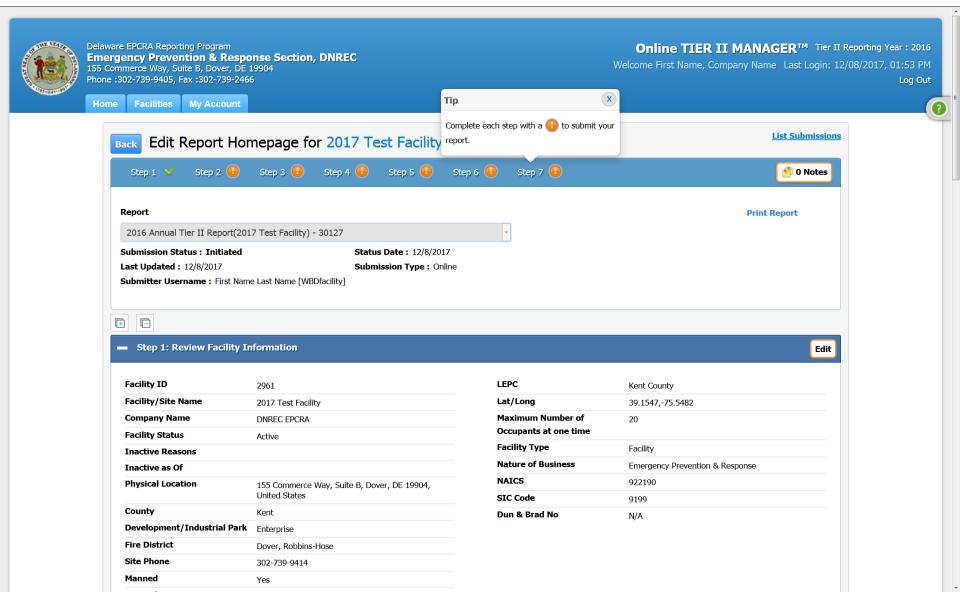
... we're going to Add a New Submission

# This might be the most important screen of the day...



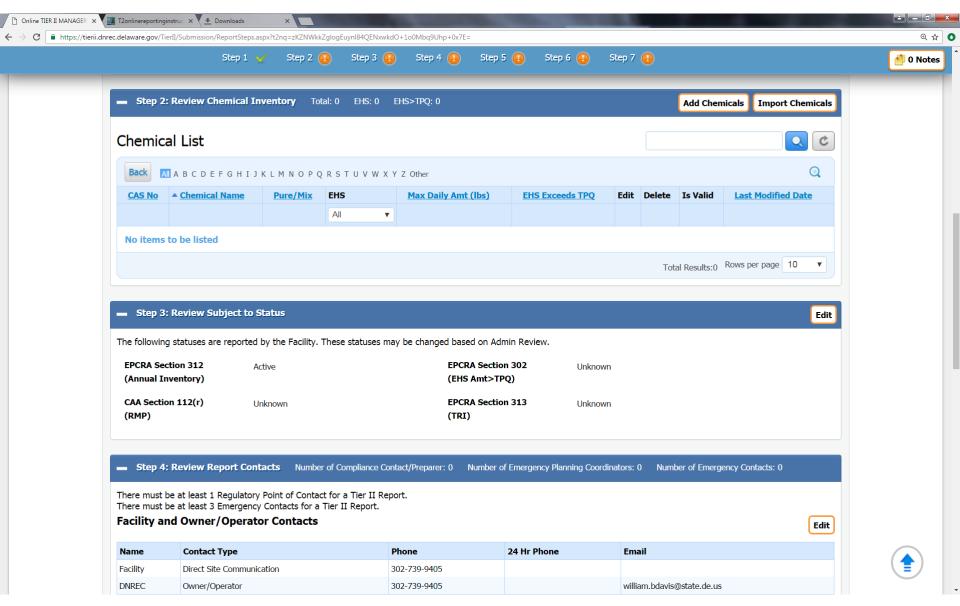
... any *Report Class* other than "Annual for 2018" might be a mistake

Now we are in edit mode... there are 7 steps to complete the report...



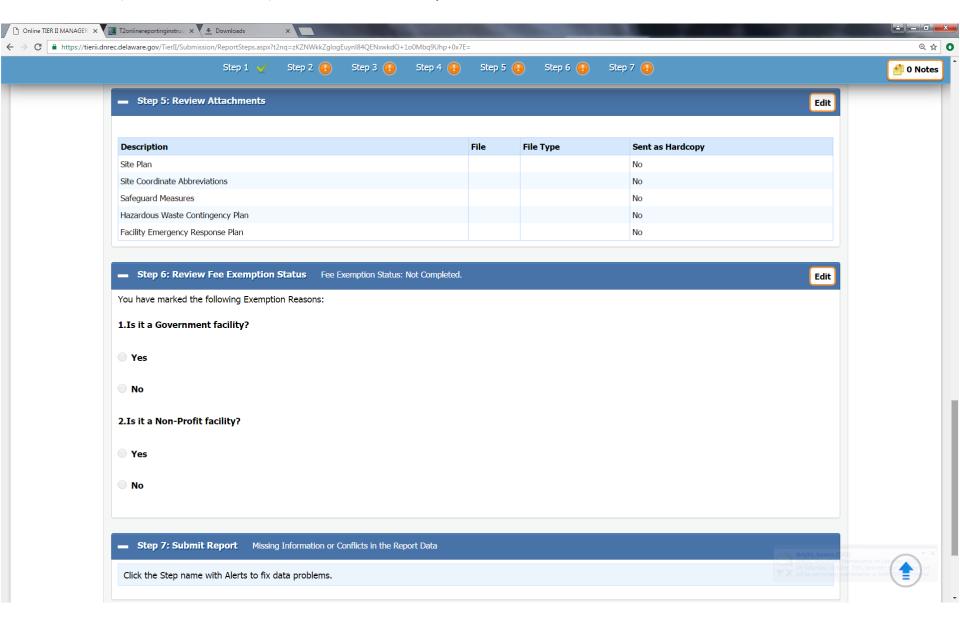
... we've completed Step 1; let's scroll down and see what's ahead

# Step 2 will require the most work...



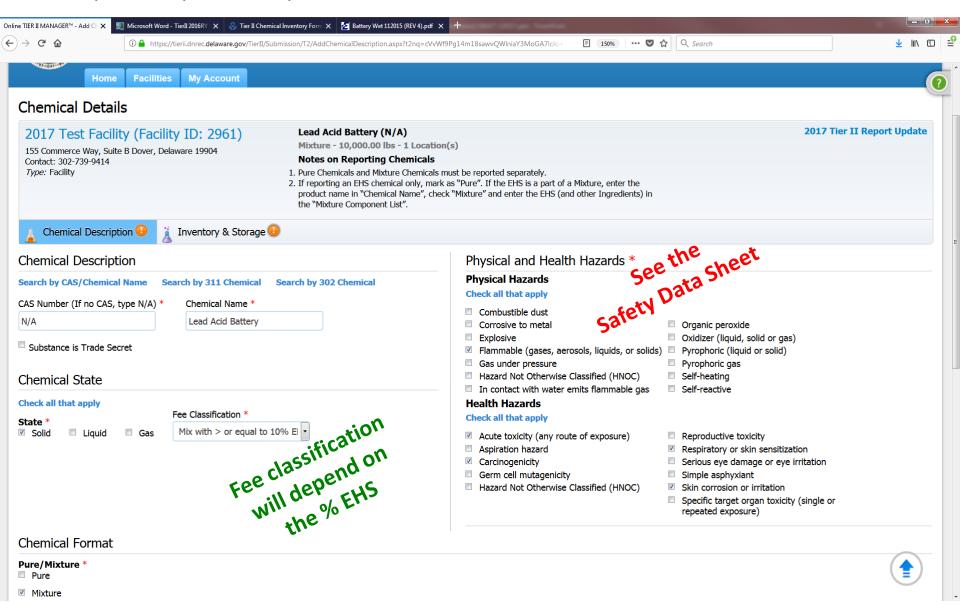
... Step 3 is very quick, and Step 4 isn't hard

# A Site Plan (a.k.a. Plot Plan) is needed in Step 5...



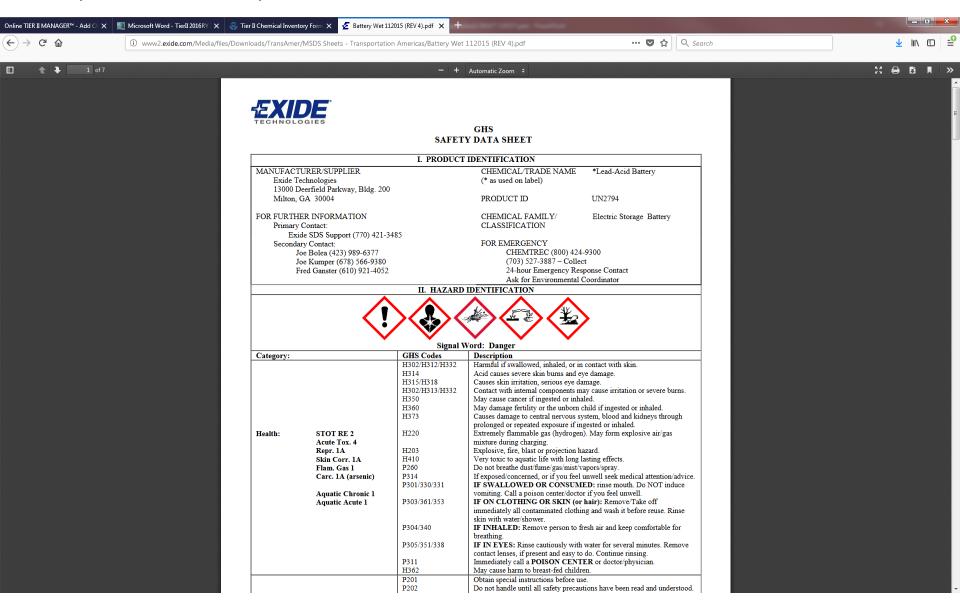
... and Step 6 is easy.

# For a Step 2 example, let's input Lead Acid Batteries...



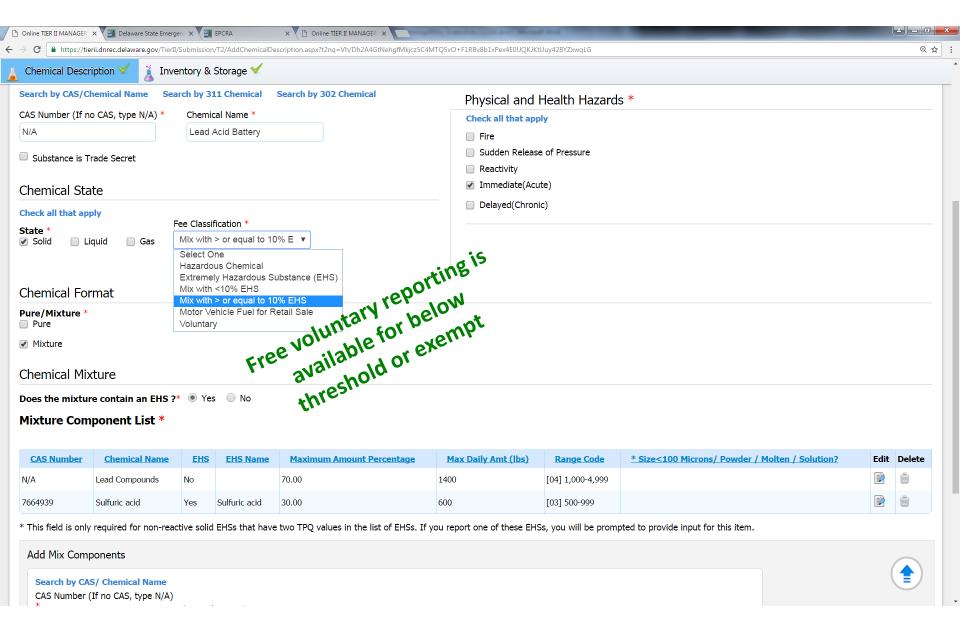
... which are a *mixture* of Sulfuric Acid (an EHS) and Lead compounds

# A Safety Data Sheet example for Lead Acid Batteries...



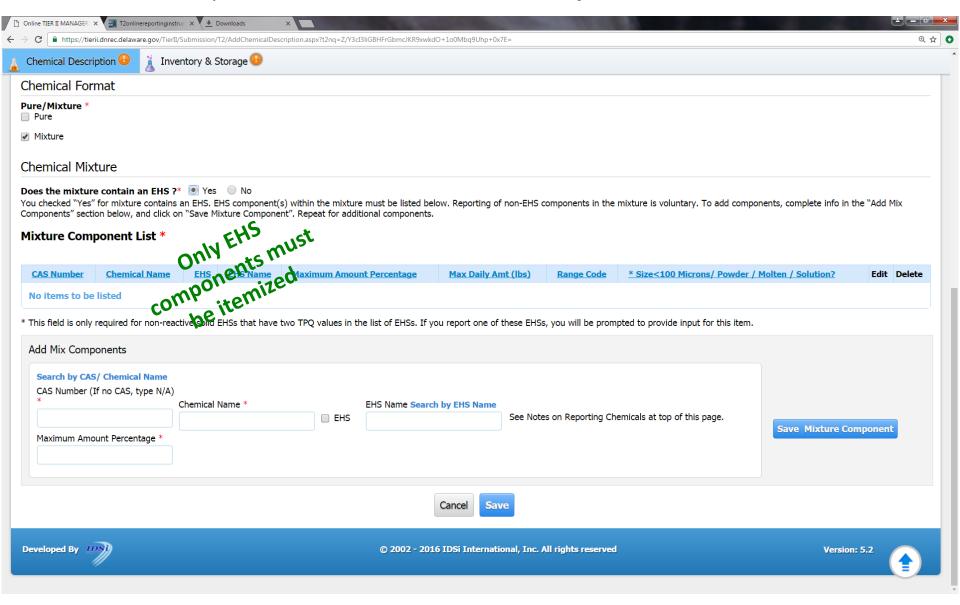
... look for the key words in Section II "Hazard Identification" under "Category"

# A word about Fee Classification...



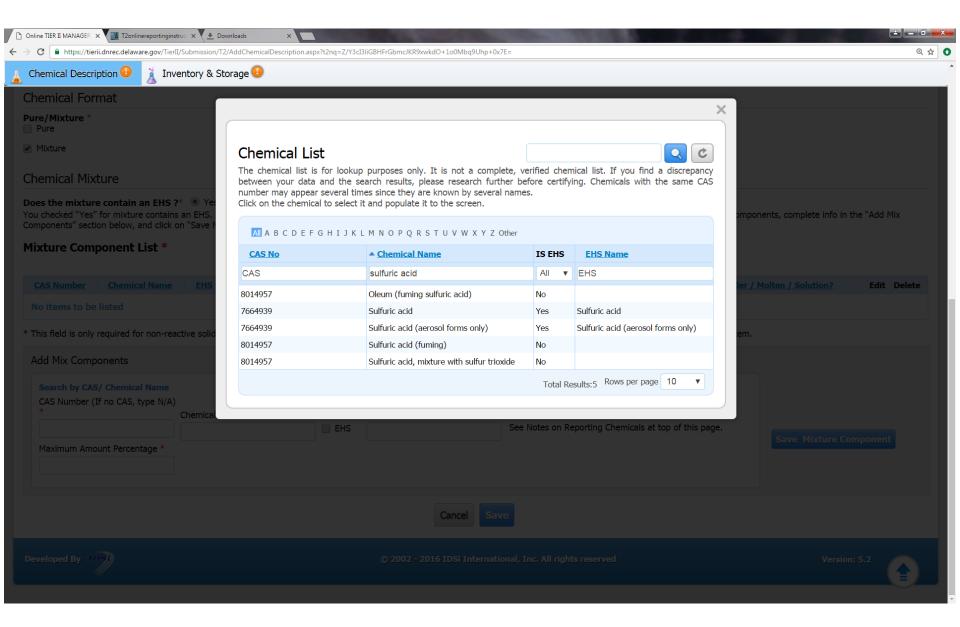
... Hazardous Chemical: \$60, EHS \$100, Mix<10% \$60, Mix>10% \$100

A *mixture's* EHS components need to be itemized, while a *pure* chemical does not...



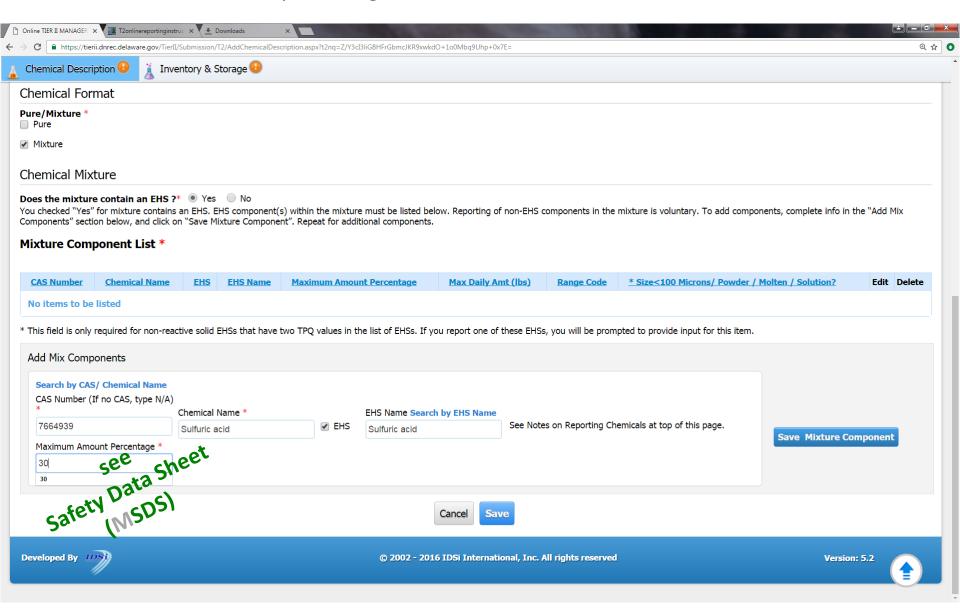
... let's do the EHS portion first; click on **Search by CAS / Chemical Name** 

See how we can search for Sulfuric Acid...



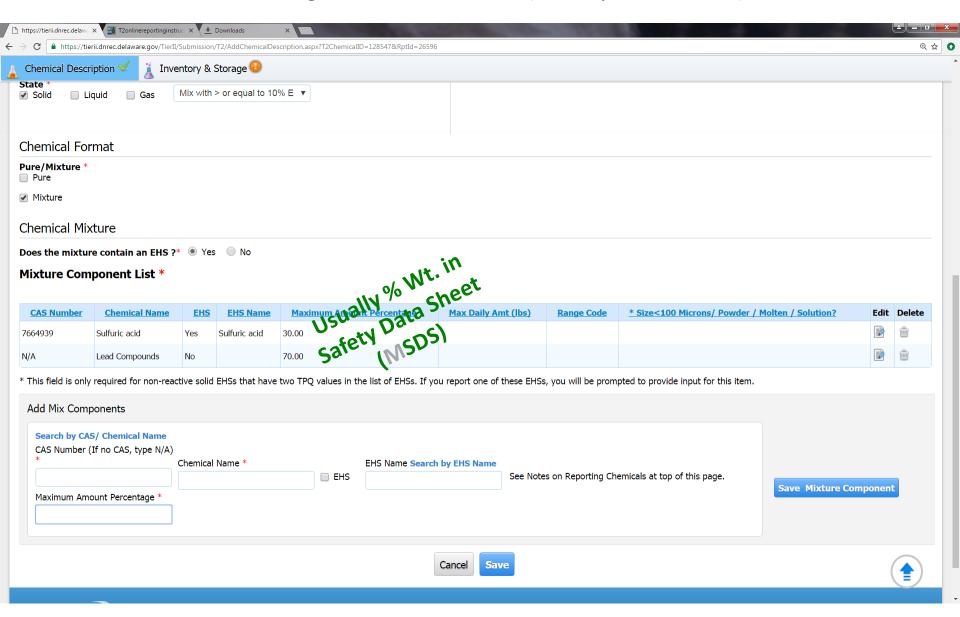
... click on the version the 2<sup>nd</sup> sulfuric acid version to import it

### Check the MSDS to find the percentage of Sulfuric Acid in the batteries...



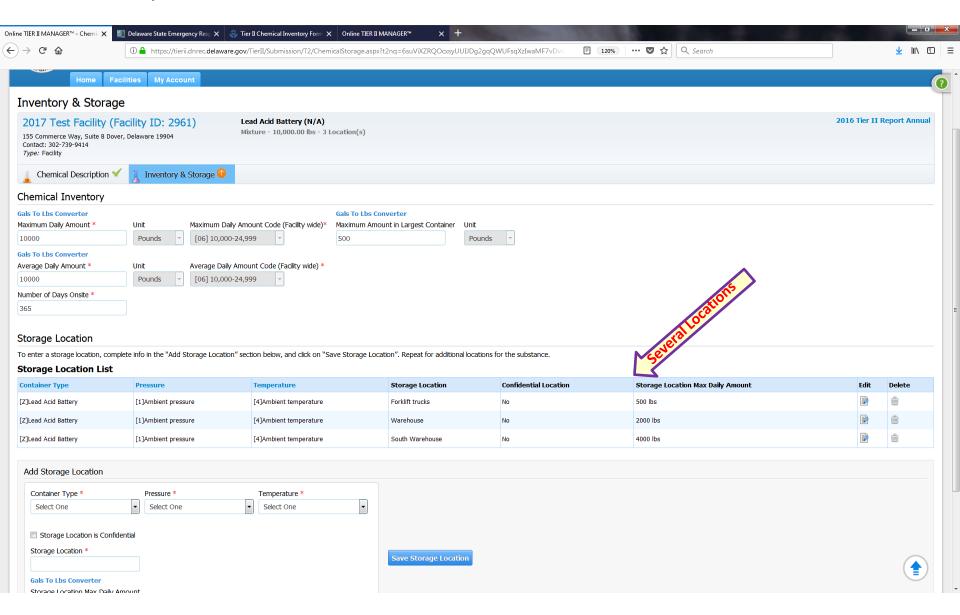
... click on Save Mixture Component and move onto the lead portion

For this exercise, after itemizing 100% of the mixture (not required for lead)...

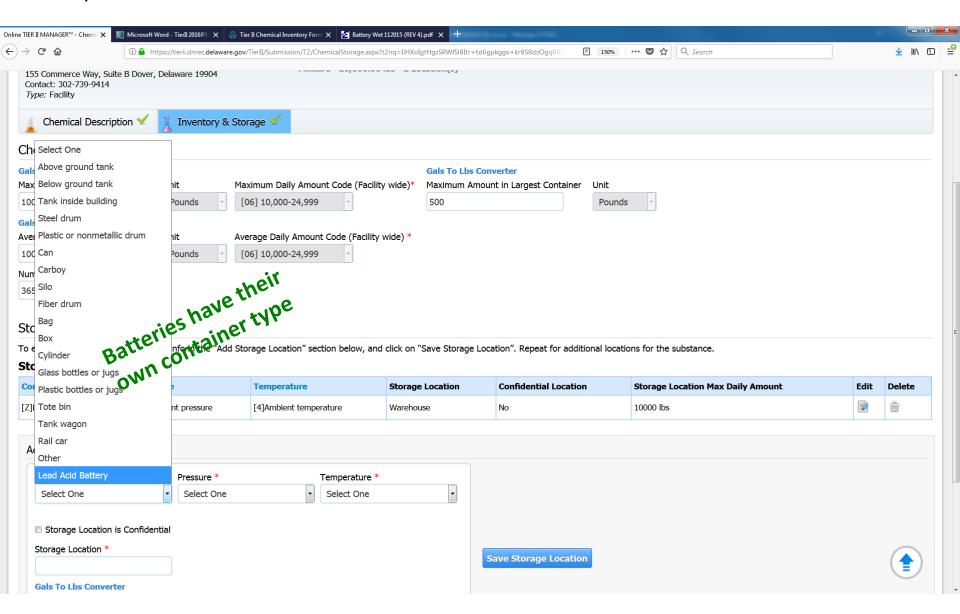


... click Save to move on to "Inventory & Storage"

### There are two parts to this screen...

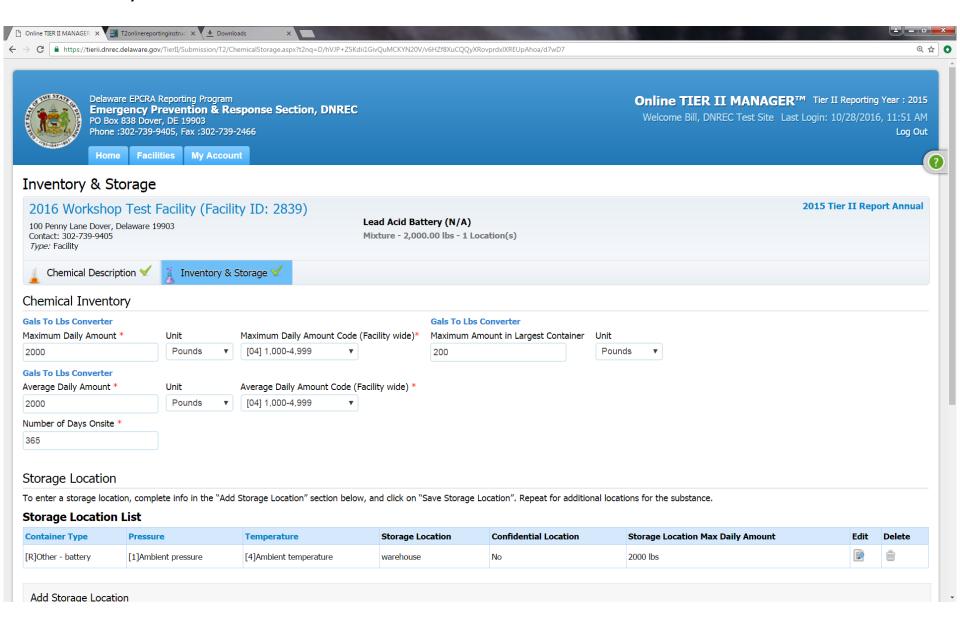


### The drop-down menus make it easier...



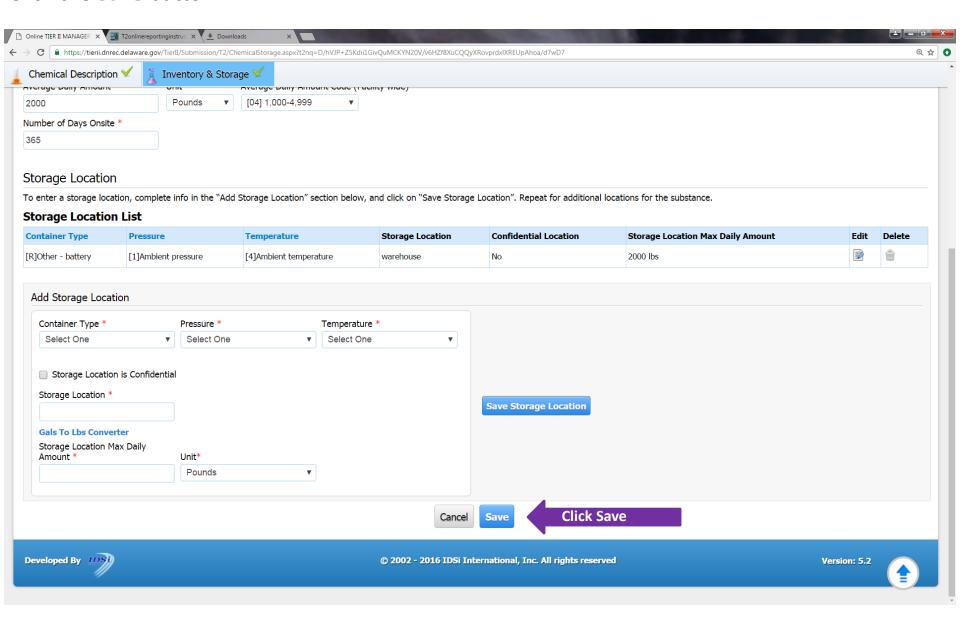
... click on Save Storage Location

See the entry for batteries in the warehouse...

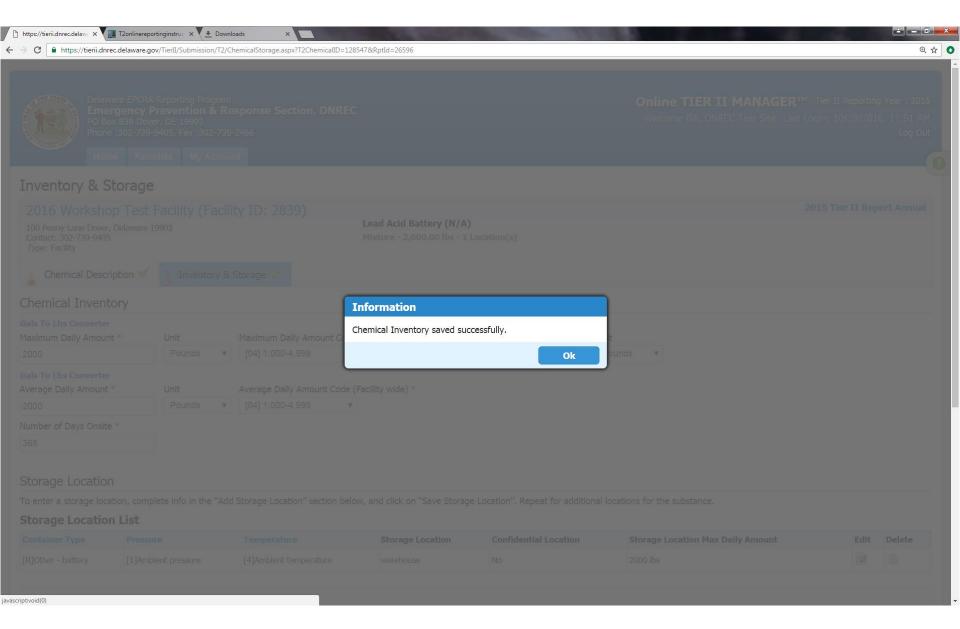


... when finished adding all the locations, scroll to the bottom and...

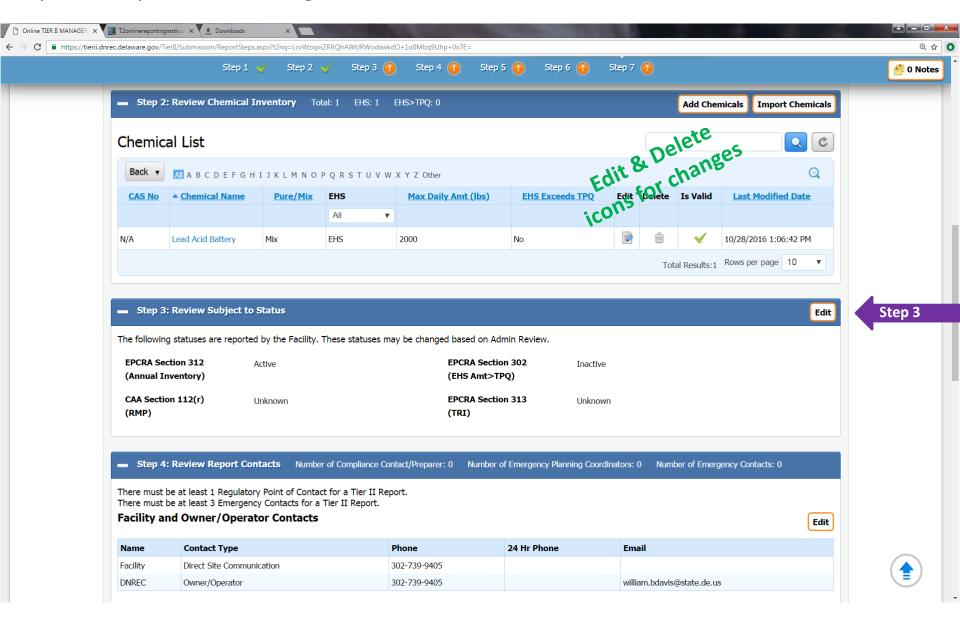
### Click the **Save** button...



T2M confirms that the save is successful and that there are no errors...

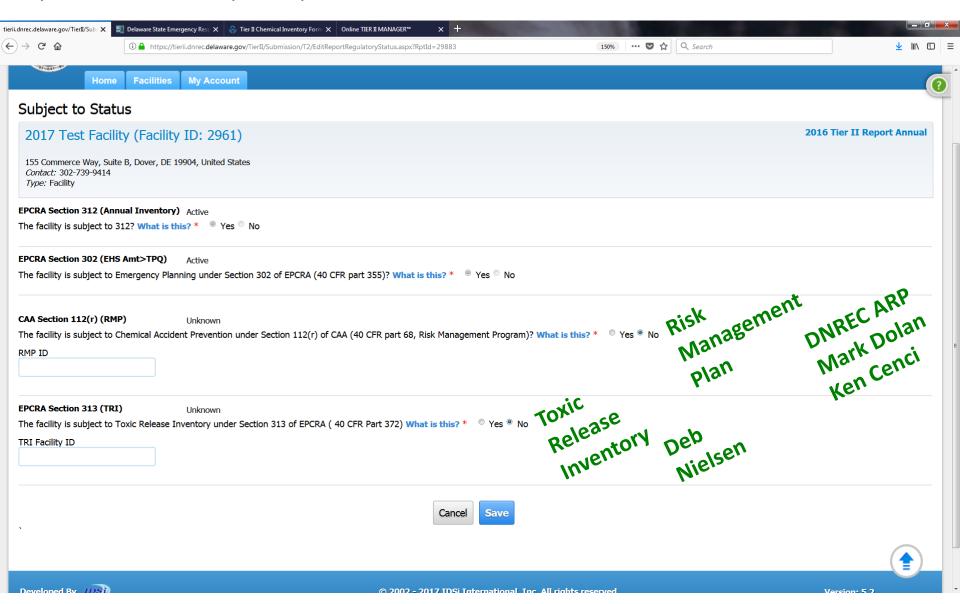


Step 2 is complete, notice the green check...



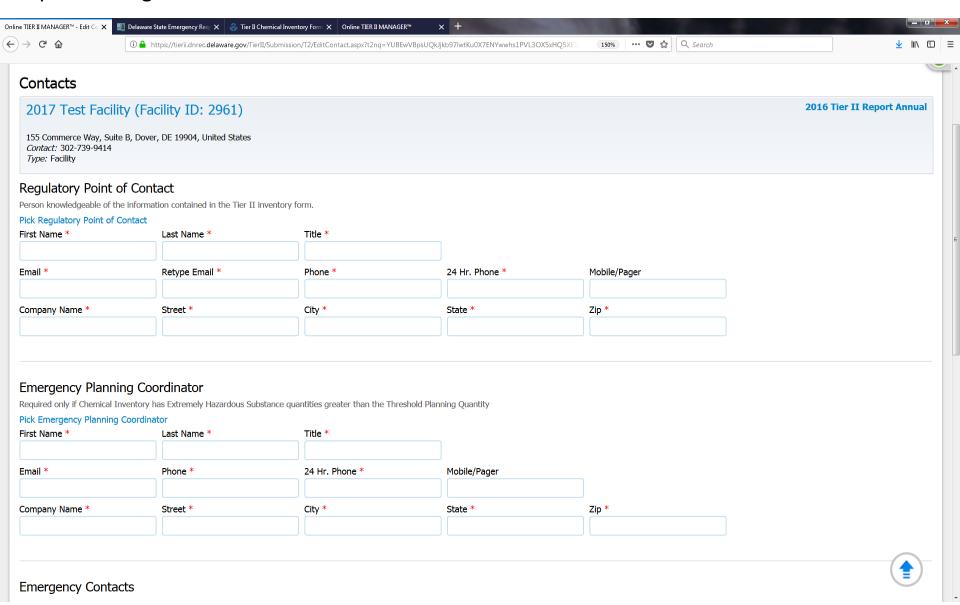
... continue to "Add Chemicals" or move on to Step 3 by clicking Edit

### Step 3 has four EPA-required questions...



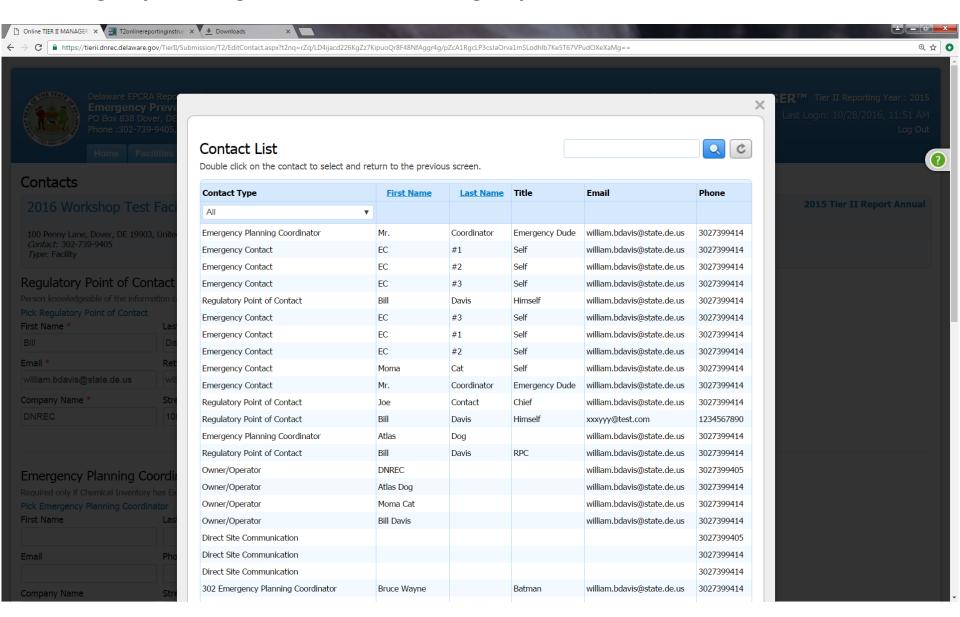
... the first two are pre-filled based on Step 2, while the second two you will know. Click Save.

### Step 4 is listing the contacts...



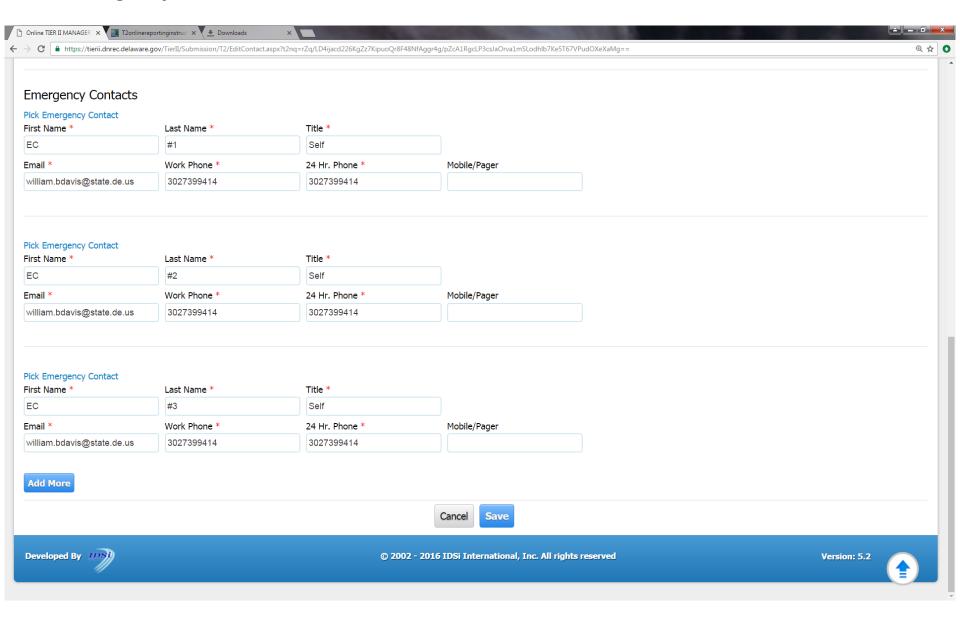
... the *Regulatory Point of Contact*'s email is the most important

### For *Emergency Planning Coordinator* and *Emergency Contacts*...

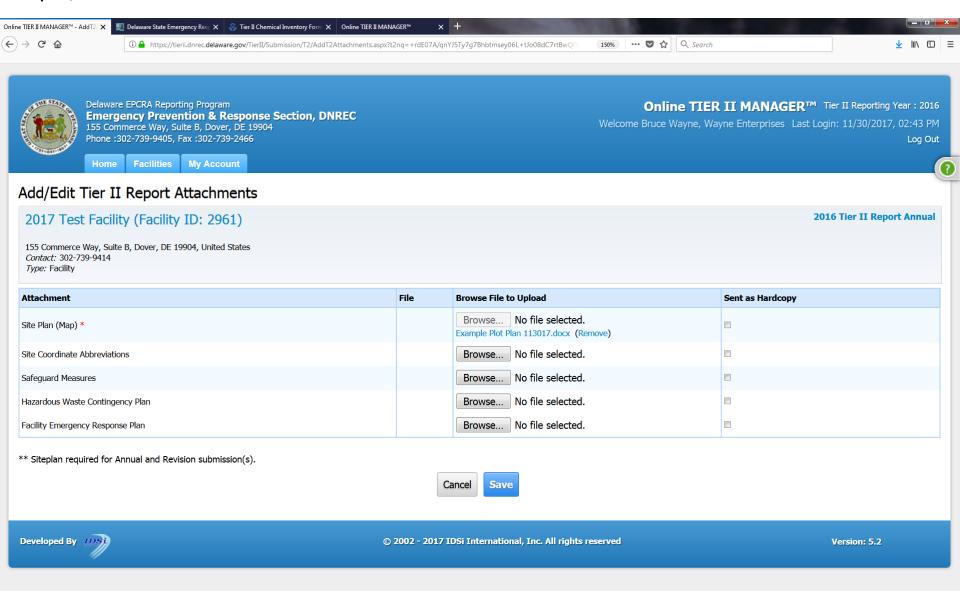


... T2M keeps a directory of everyone you've ever used

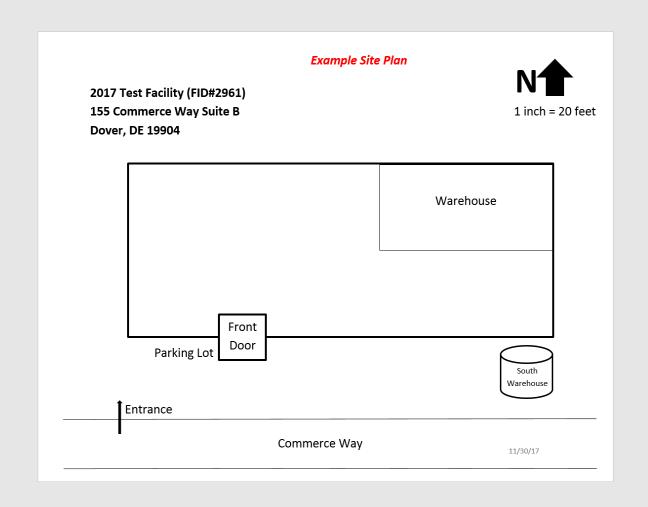
### List 3 *Emergency Contacts*...



### Step 5, attach a Site Plan...



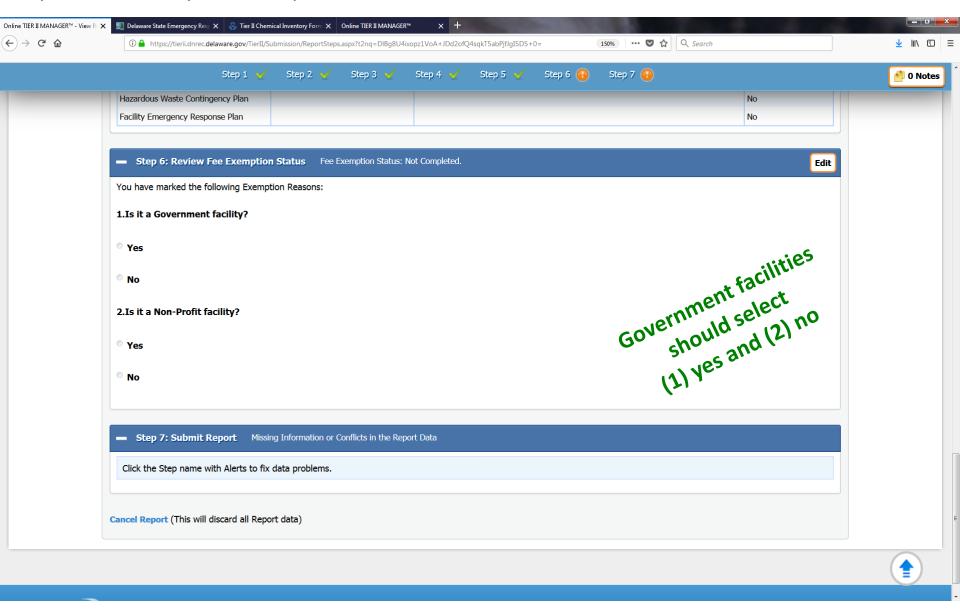
... file size is limited to 2.0 MB, and your network's firewall might cause a problem



Page 1 of 1

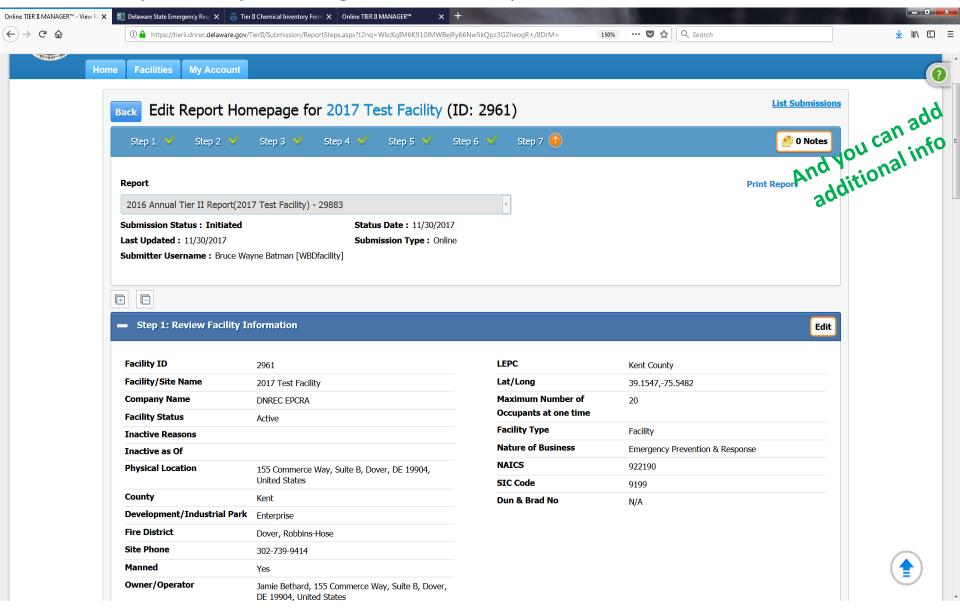
**□ □ □ →** + 110%

Step 6 is to identify fee-exempt facilities...



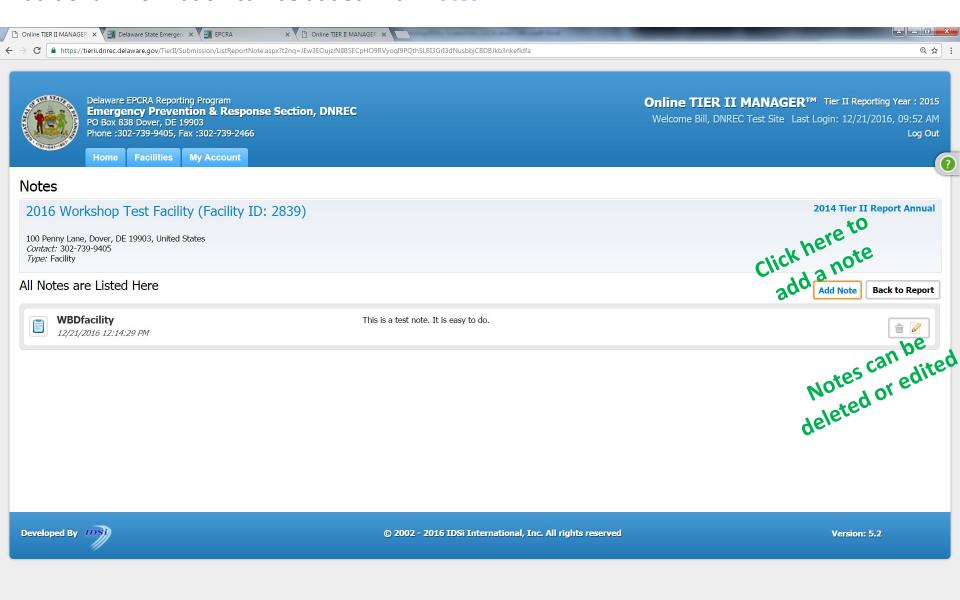
... **Non-Profit** as defined by the State of Delaware Department of Corporations

We have completed Steps 1 through 6 for our example...



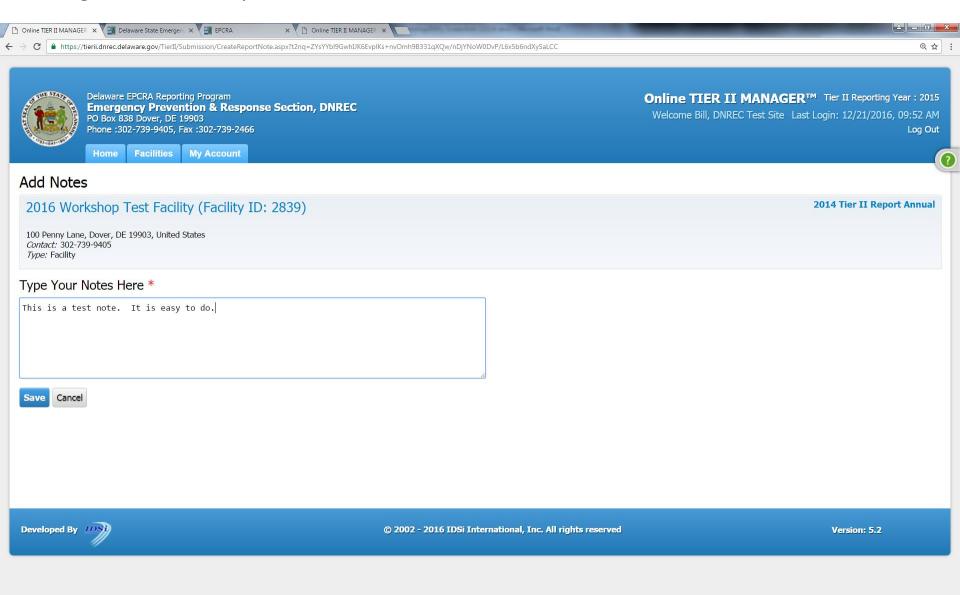
... notice all the green checks on the status bar

### Additional information can be added with Notes...



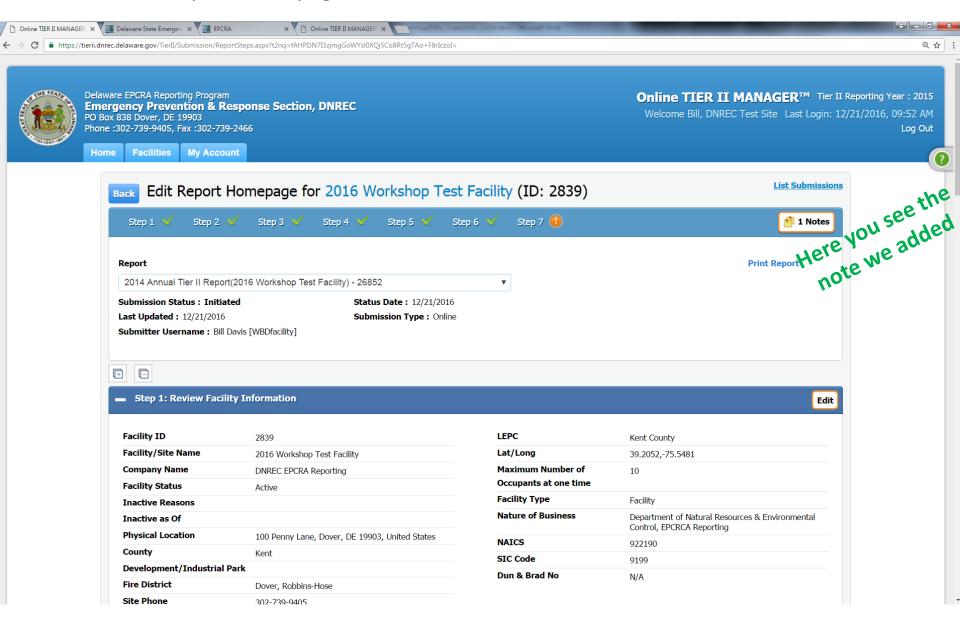
... think of these as a text message for the fire department

### Creating the Note is easy...



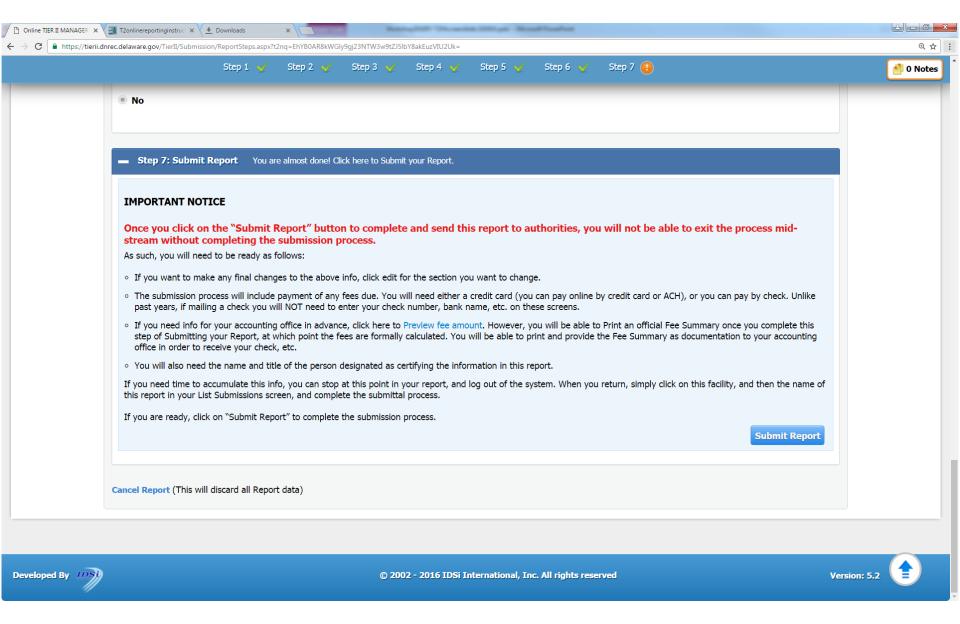
... this is a flashback to the previous screen

### Back to the Edit Report Homepage...

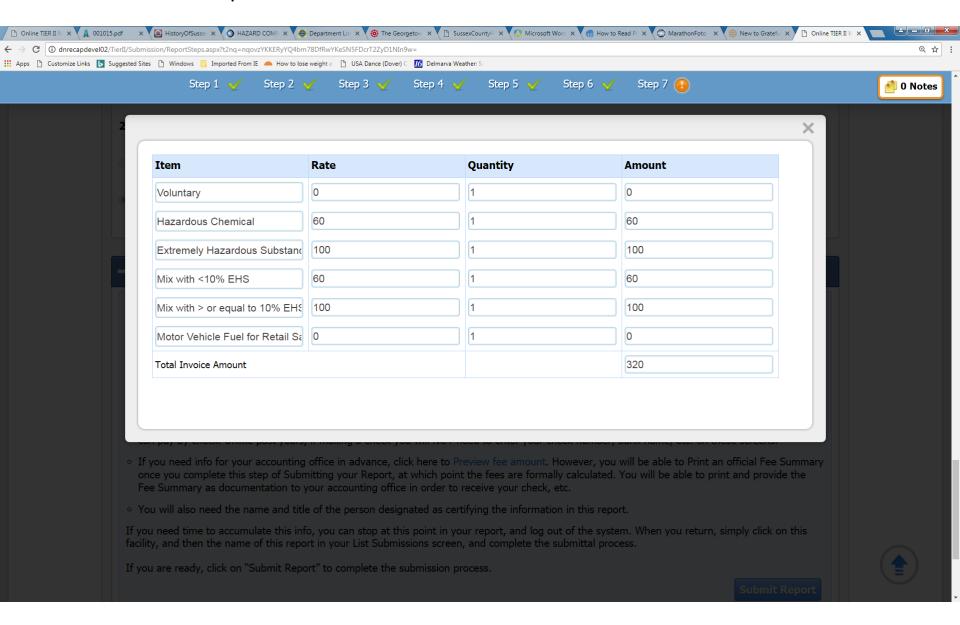


... we're ready to pay fees and certify the report

### For Step 7, once it is begun, there is no turning back...

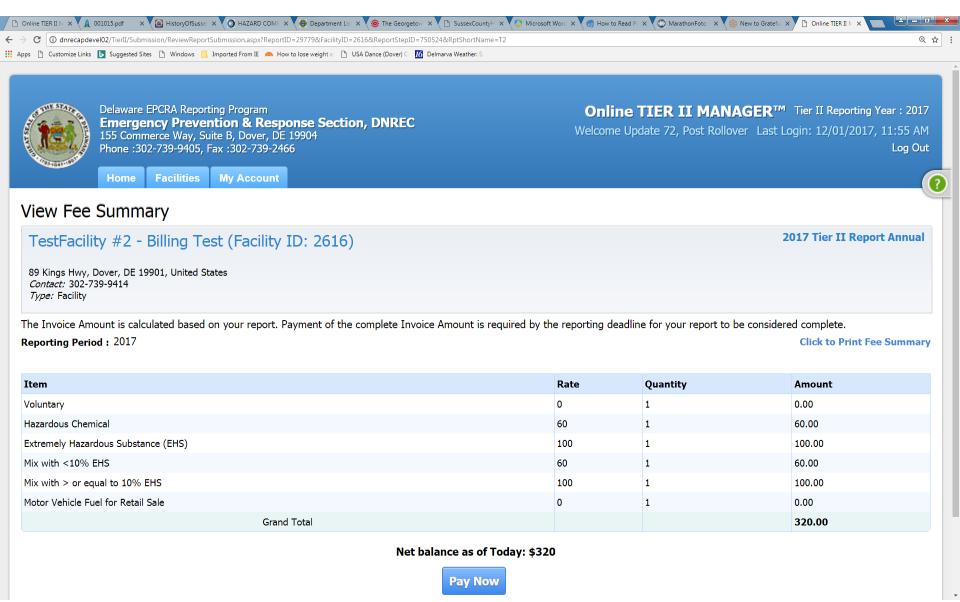


### This is the fee amount preview...



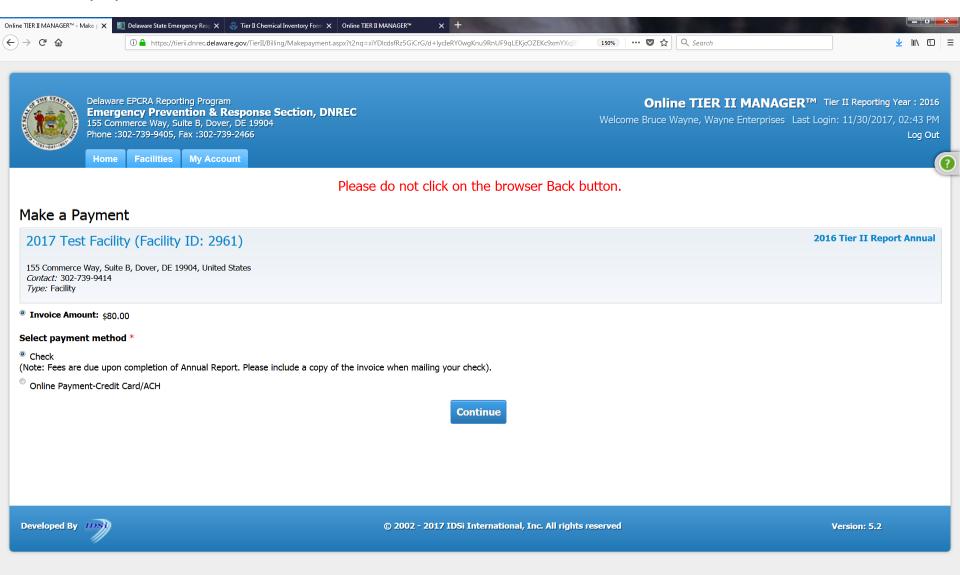
... if you think this is incorrect, do not proceed with Step 7

### After clicking Submit Report, T2M processes the fees...



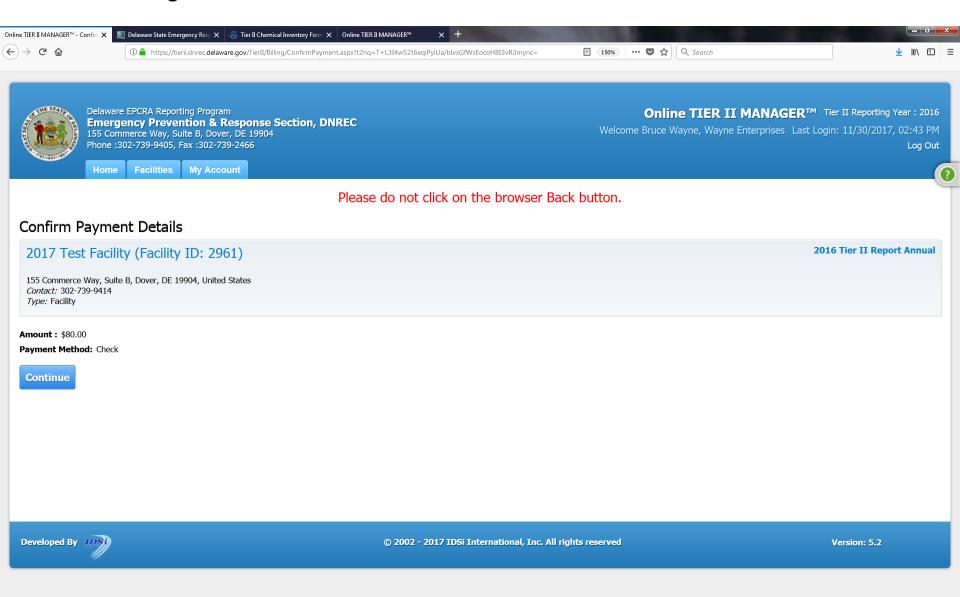
... this should match the Preview; click Pay Now

### You can pay on-line or mail in a check...

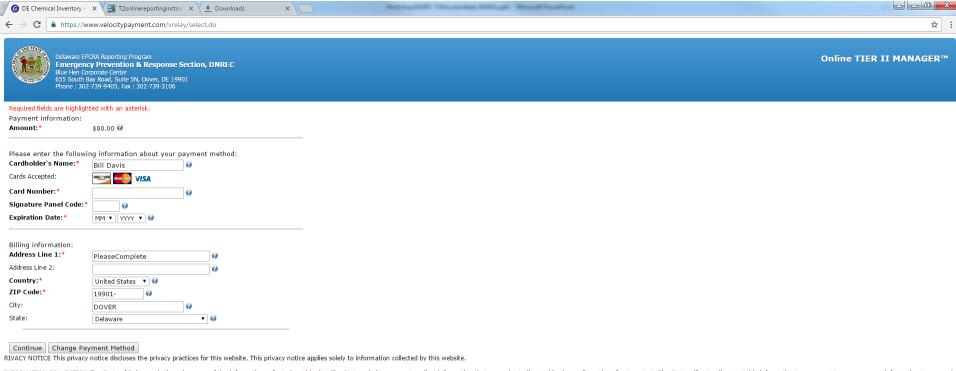


... choose one and click Pay Now

### Note the warning about the Back Button...



### Paying on-line, a fairly standard checkout...



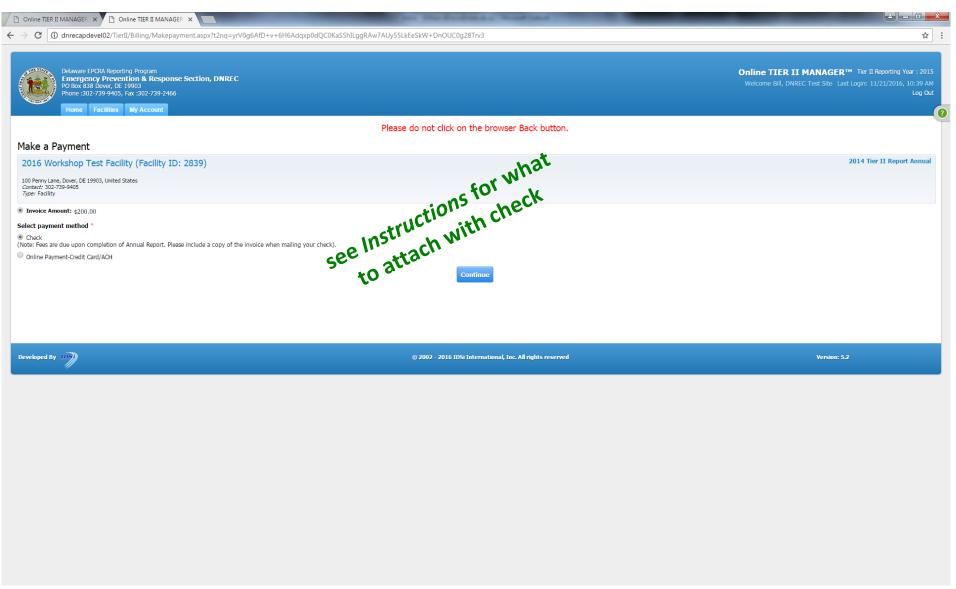
INFORMATION COLLECTION The State of Delaware is the sole owner of the information collected on this site. The State only has access to collect information that you voluntarily provide via email or other direct contact. The State will not sell or rent this information to anyone. We may use your information to respond to you, regarding the reason you contacted us. We will not share your information with any third party outside of our organization, other than as necessary to fulfill your request, such as to ship an order.

SECURITY The State takes precautions to protect your information. When you submit sensitive information via the website, your information is protected both online and offline. Wherever we collect sensitive information (such as credit card data), that information is encrypted and transmitted to us in a secure way. You can verify this by looking for a closed lock icon at the bottom of your web browser, or looking for "https" at the beginning of the address of the web page. While we use encryption to protect sensitive information transmitted online, we also protect your information offline. Only employees who need the information to perform a specific job (for example, billing or customer service) are granted access to personally identifiable information. The computers/servers in which we store personally identifiable information are kept in a secure environment. If you feel that we are not abiding by this privacy policy, you should contact us immediately via telephone at 302-739-9013.

REFUND POLICY All transactions submitted on this site are non-refundable. If you have an inquiry about a previously submitted transaction, please contact this State agency via the telephone number above.

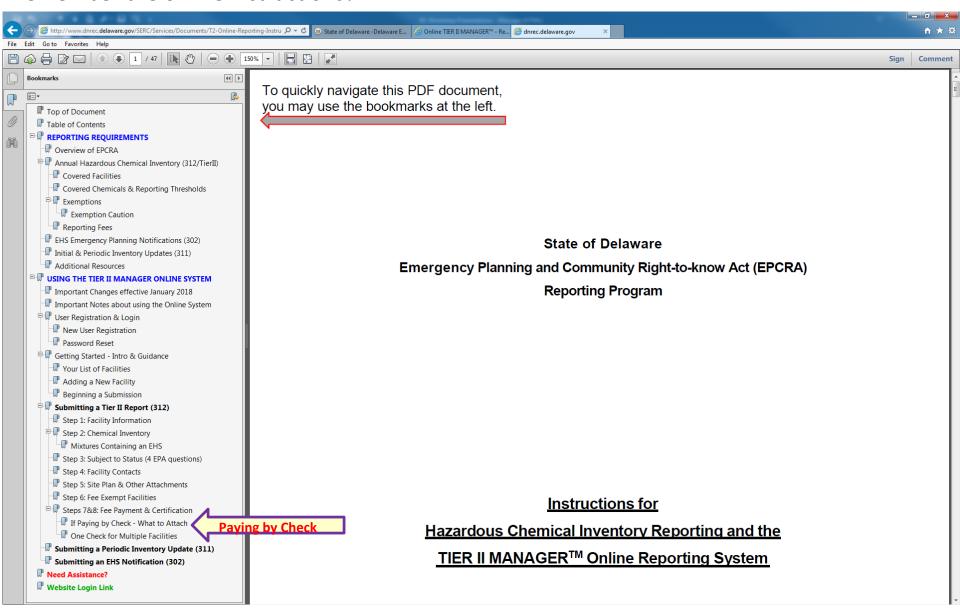
PAYMENT AND ACCOUNT INFORMATION Once your payment is submitted, the payment will be posted to your account within 48 business hours. If you have any questions regarding your current balance, or when your payment will be applied, please immediately contact the State agency conducting the transaction.

### Paying by check...



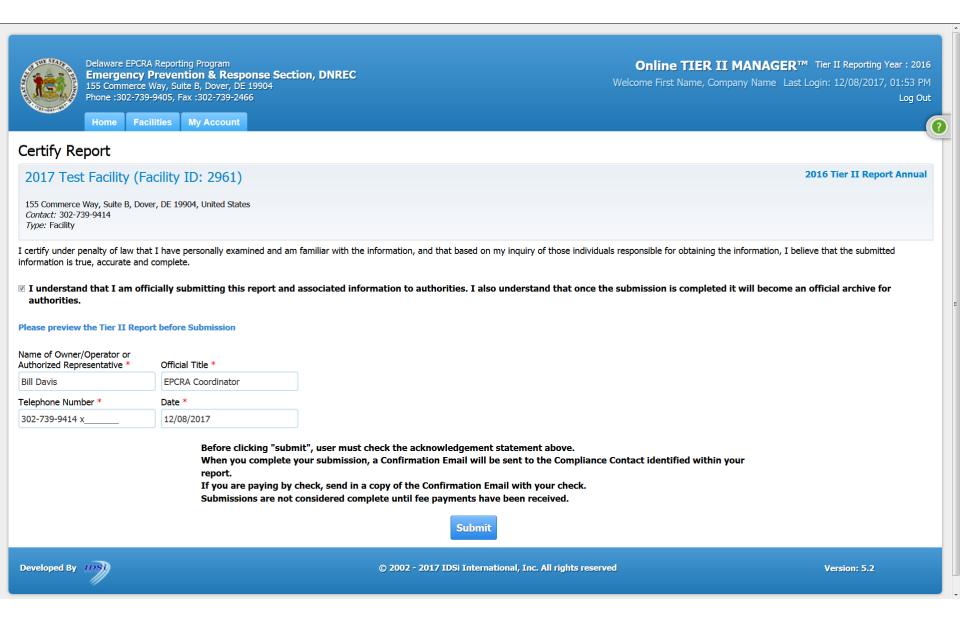
... Fees are due by March 1<sup>st</sup>, plan ahead if mailing a check

Remember the online instructions?...



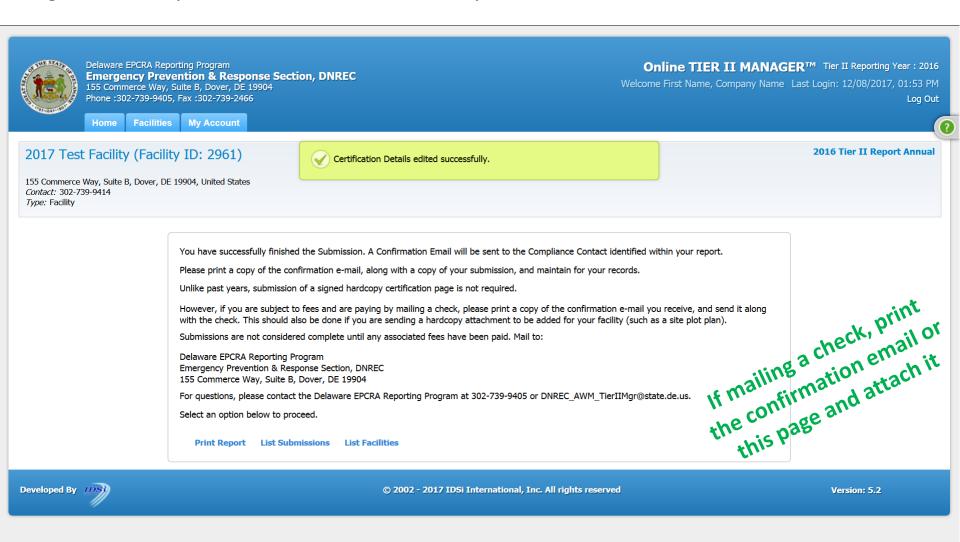
...quickly find what to attach to check and how to handle multiple facilities.

### The 2<sup>nd</sup> part of Step 7, Step 8 is the Certification...

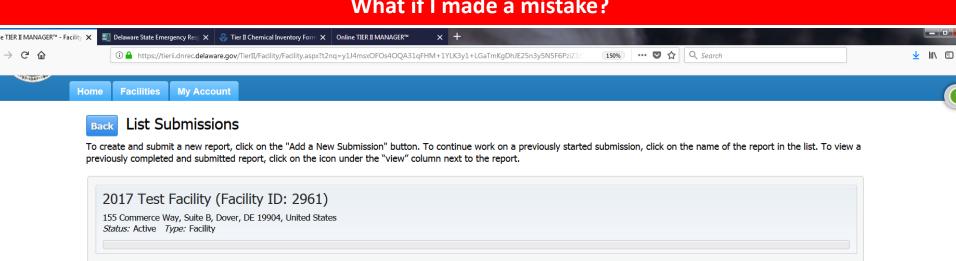


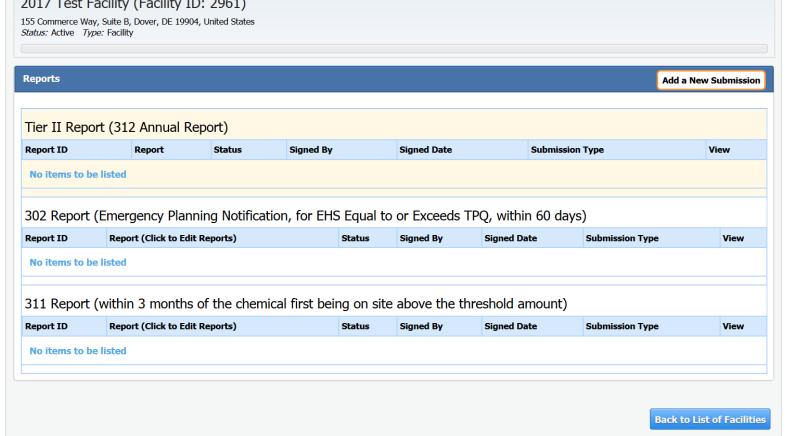
... if the *Authorized Representative* is not you, you should get their OK

### Congratulations, you have submitted a Tier II Report!



### What if I made a mistake?







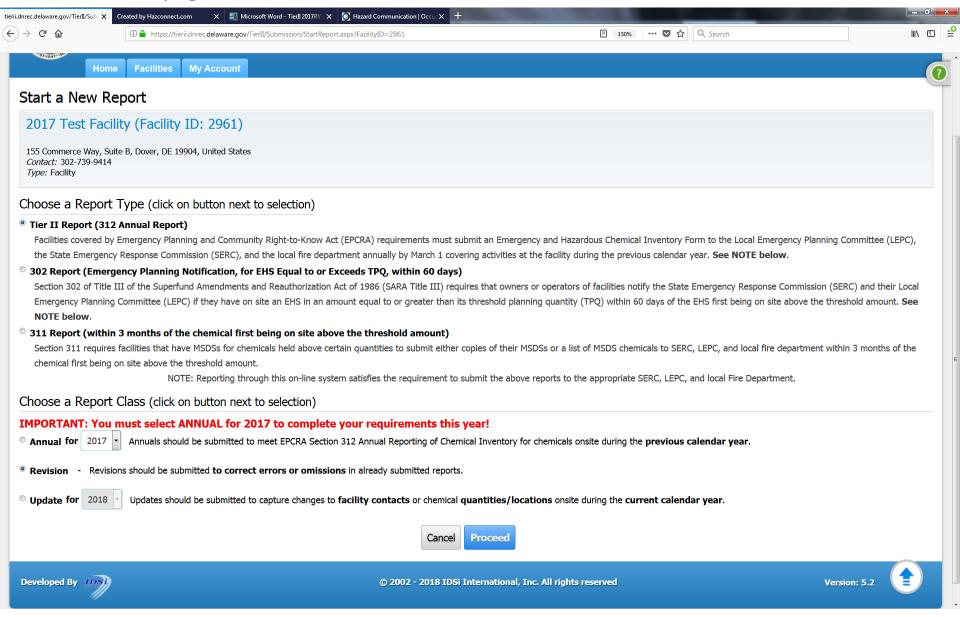
... it can be fixed by submitting a Revision; click Add a New Submission

### Annuals, Revisions, & Updates

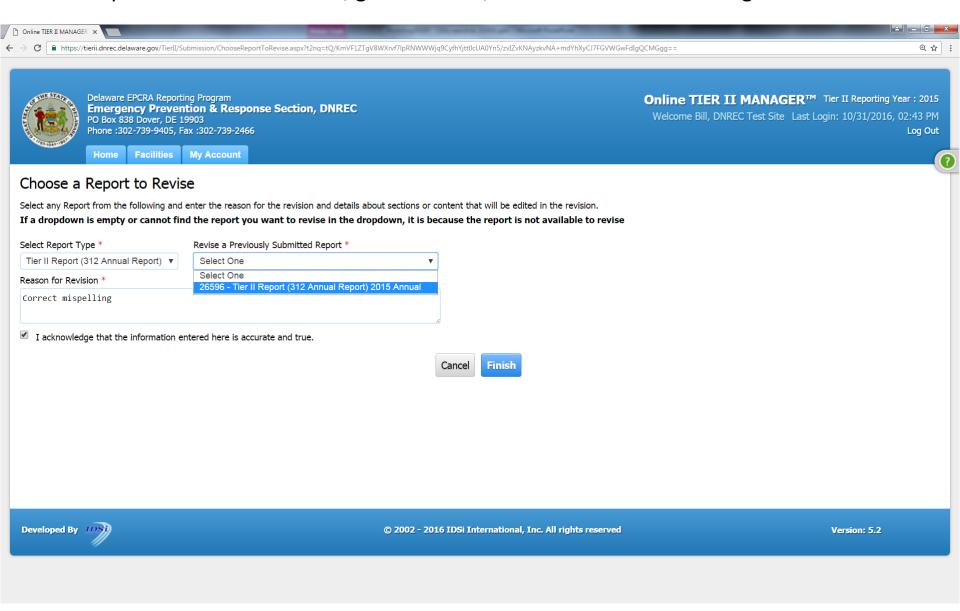
### **Report Class**

- $\square$  Annual for <2018>
- ☐ Revision
  - correct errors or omissions in a submitted report
- Update
  - add post-December 31st info
  - can be submitted throughout the year as contacts, chemical info, plot plans etc. change
- > The annual report is NOT a 2019 Update.

### Remember this page?

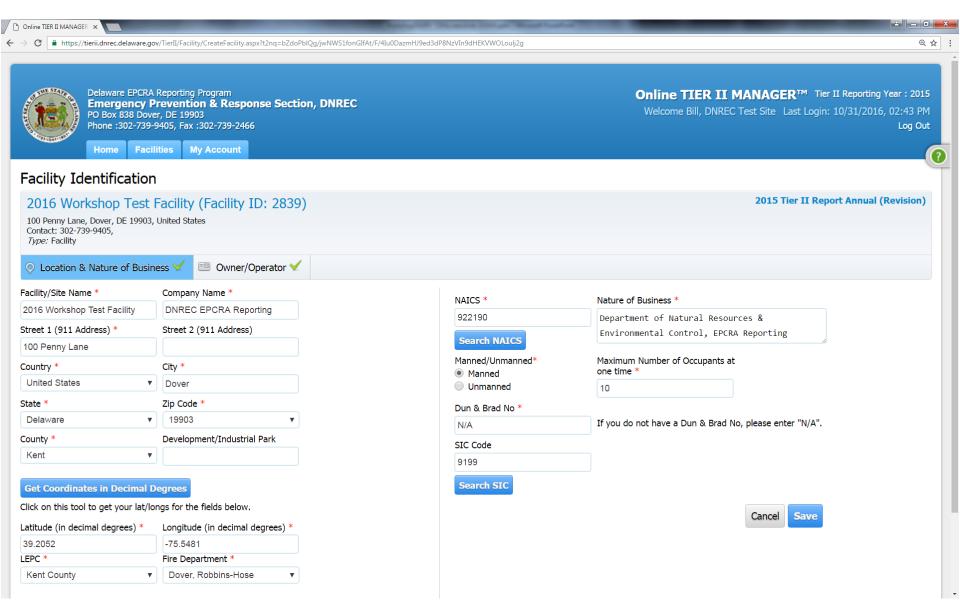


Pick the report that needs revision, give a reason, and check the acknowledgement...

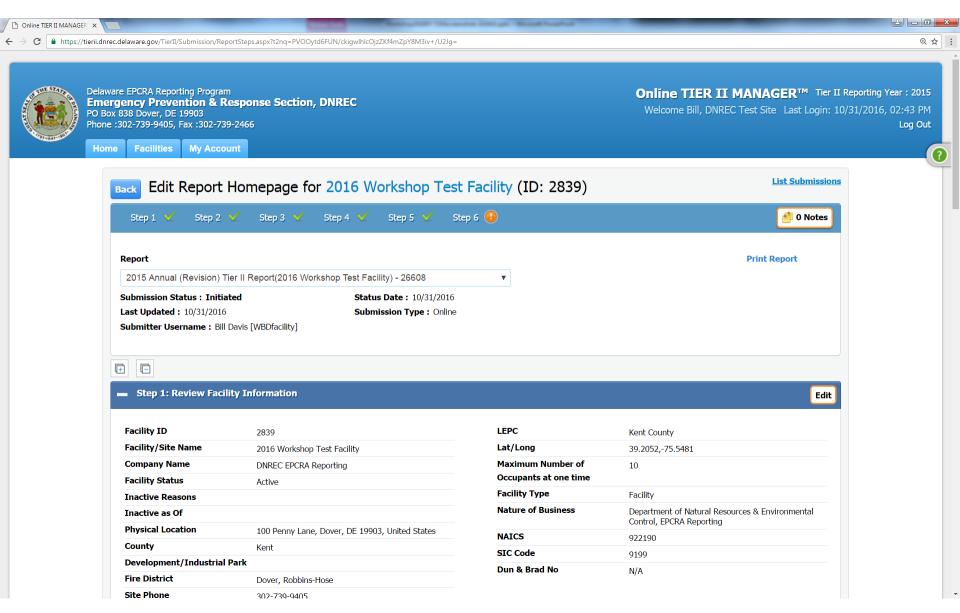


...click Finish to get back into edit mode

### Now fix the typo "EPCRCA"...

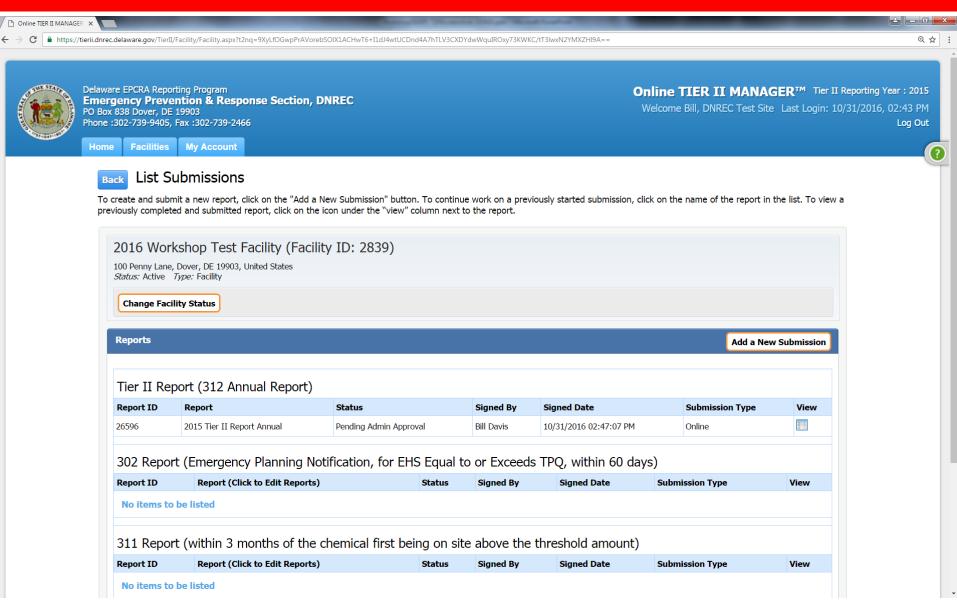


### Notice that Steps 1 through 5 are green...



... revisions don't have fees

### 302 or 311 submissions



### Need to do a 302 or 311 submission?...



Online TIER II MANAGER™ Tier II Reporting Year : 2016
Welcome First Name, Company Name Last Login: 12/08/2017, 01:53 PM
Log Out

Home Fa

Home Facilities My Account

### Start a New Report

2017 Test Facility (Facility ID: 2961)

155 Commerce Way, Suite B, Dover, DE 19904, United States

Contact: 302-739-9414 Type: Facility

#### Choose a Report Type (click on button next to selection)

Tier II Report (312 Annual Report)

Facilities covered by Emergency Planning and Community Right-to-Know Act (EPCRA) requirements must submit an Emergency and Hazardous Chemical Inventory Form to the Local Emergency Planning Committee (LEPC), the State Emergency Response Commission (SERC), and the local fire department annually by March 1 covering activities at the facility during the previous calendar year. **See NOTE below**.

302 Report (Emergency Planning Notification, for EHS Equal to or Exceeds TPQ, within 60 days)

302

Section 302 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III) requires that owners or operators of facilities notify the State Emergency Response Commission (SERC) and their Local Emergency Planning Committee (LEPC) if they have on site an EHS in an amount equal to or greater than its threshold planning quantity (TPQ) within 60 days of the EHS first being on site above the threshold amount. See NOTE below.

311 Report (within 3 months of the chemical first being on site above the threshold amount)

311

Section 311 requires facilities that have MSDSs for chemicals held above certain quantities to submit either copies of their MSDSs or a list of MSDS chemicals to SERC, LEPC, and local fire department within 3 months of the chemical first being on site above the threshold amount.

NOTE: Reporting through this on-line system satisfies the requirement to submit the above reports to the appropriate SERC, LEPC, and local Fire Department.

#### Choose a Report Class (click on button next to selection)

- Initial
- Update

Cancel

Proceed

Developed By 108

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Version: 5.2

### How to do a 302 submission...



Online TIER II MANAGER™ Tier II Reporting Year : 2016

Welcome First Name, Company Name Last Login: 12/08/2017, 01:53 PM

Log Out

### Start a New Report

2017 Test Facility (Facility ID: 2961)

155 Commerce Way, Suite B, Dover, DE 19904, United States Contact: 302-739-9414 Type: Facility

#### Choose a Report Type (click on button next to selection)

Tier II Report (312 Annual Report)

Facilities covered by Emergency Planning and Community Right-to-Know Act (EPCRA) requirements must submit an Emergency and Hazardous Chemical Inventory Form to the Local Emergency Planning Committee (LEPC), the State Emergency Response Commission (SERC), and the local fire department annually by March 1 covering activities at the facility during the previous calendar year. **See NOTE below**.

- 9 302 Report (Emergency Planning Notification, for EHS Equal to or Exceeds TPQ, within 60 days)
  - Section 302 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III) requires that owners or operators of facilities notify the State Emergency Response Commission (SERC) and their Local Emergency Planning Committee (LEPC) if they have on site an EHS in an amount equal to or greater than its threshold planning quantity (TPQ) within 60 days of the EHS first being on site above the threshold amount. **See NOTE below.**
- 311 Report (within 3 months of the chemical first being on site above the threshold amount)

Section 311 requires facilities that have MSDSs for chemicals held above certain quantities to submit either copies of their MSDSs or a list of MSDS chemicals to SERC, LEPC, and local fire department within 3 months of the chemical first being on site above the threshold amount.

NOTE: Reporting through this on-line system satisfies the requirement to submit the above reports to the appropriate SERC, LEPC, and local Fire Department.

#### Choose a Report Class (click on button next to selection)

- Original
- Amended

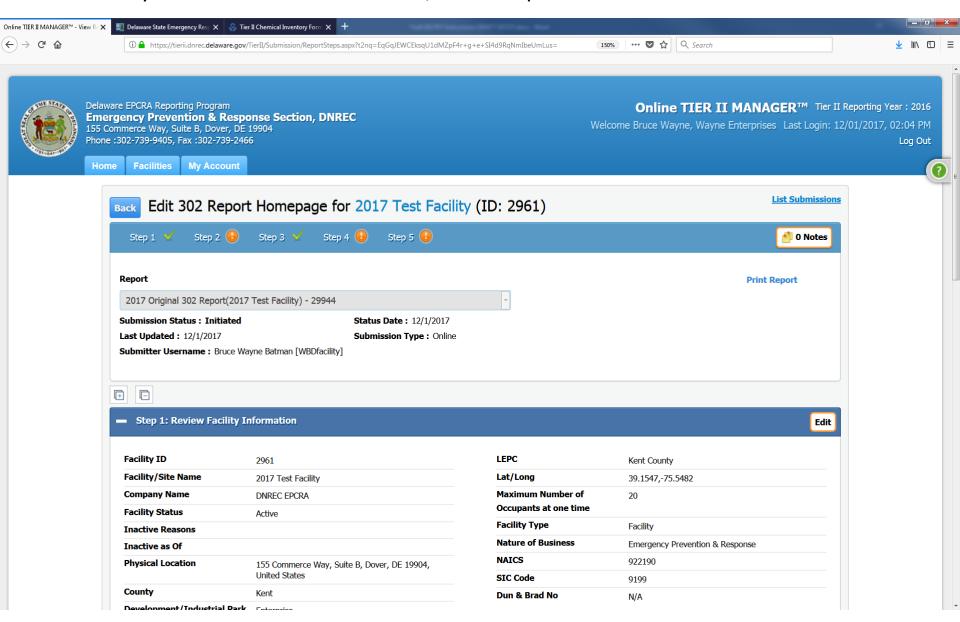


Developed By 1125

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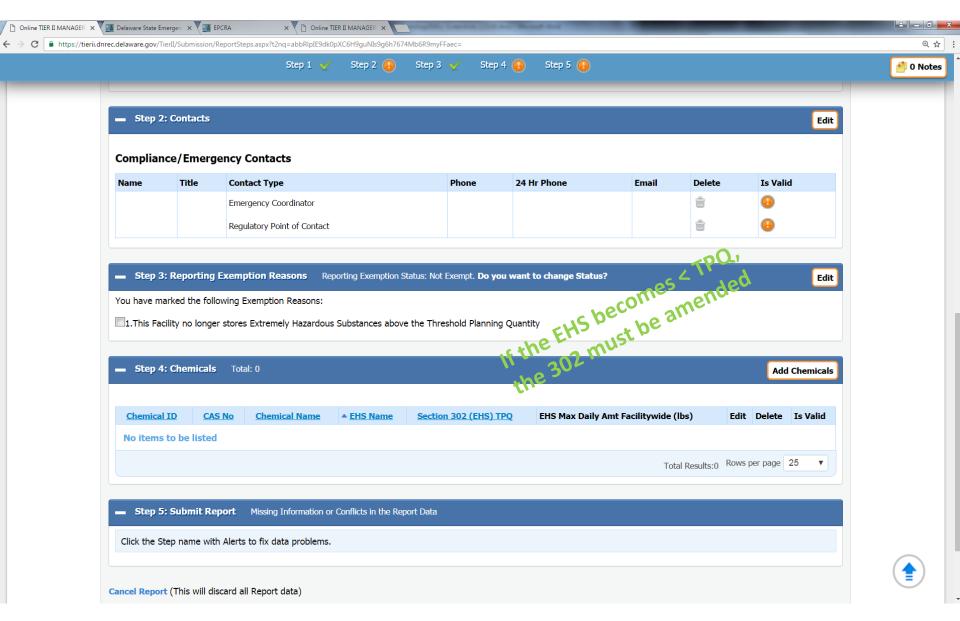
Version: 5.2

This looks very similar to a 312 submission / Tier II Report...



...except if the EHS becomes *less* than Threshold Planning Quantity (**TPQ**)... next slide:

### A 302 report has 5 steps...



...note there is no Site Plan or Fees

## Keep in Mind

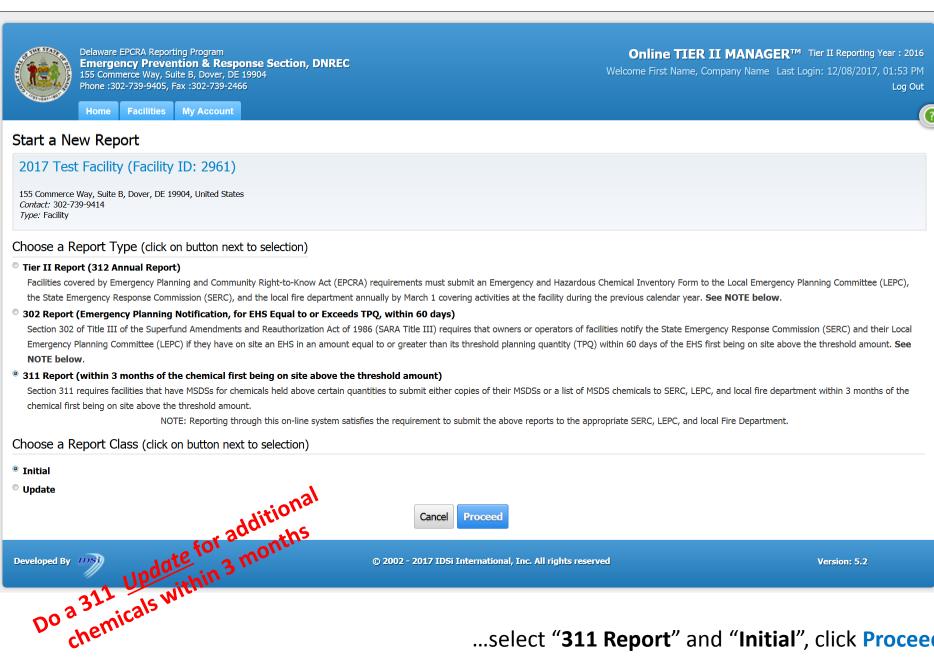
EPCRA 303 requires that facilities with EHS(s) above TPQ <u>communicate</u> with their LEPC.

Know your LEPC Chair

Go to a LEPC meeting

### How to do a **311** submission...

Developed By

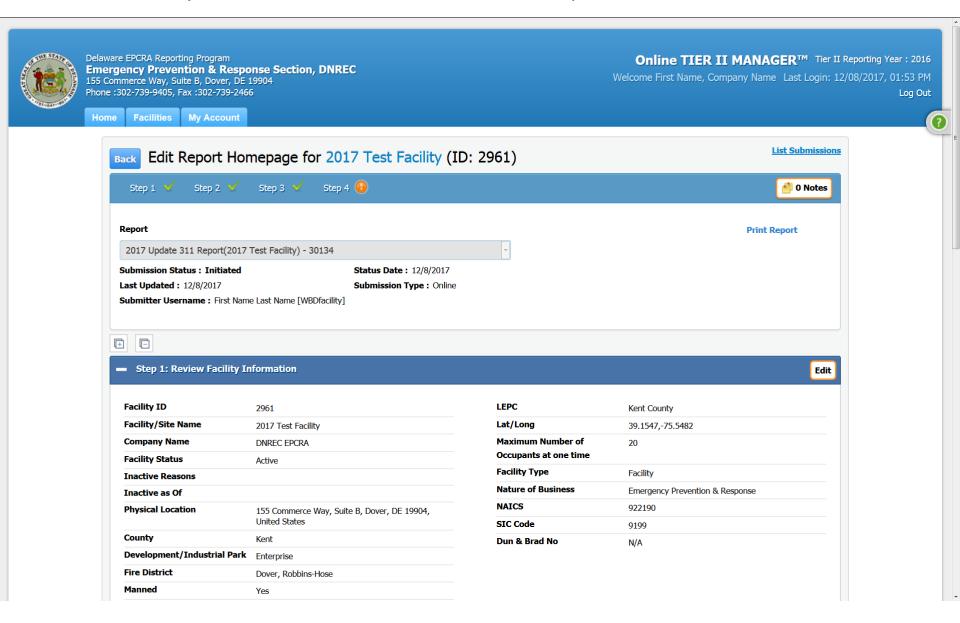


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...select "311 Report" and "Initial", click Proceed

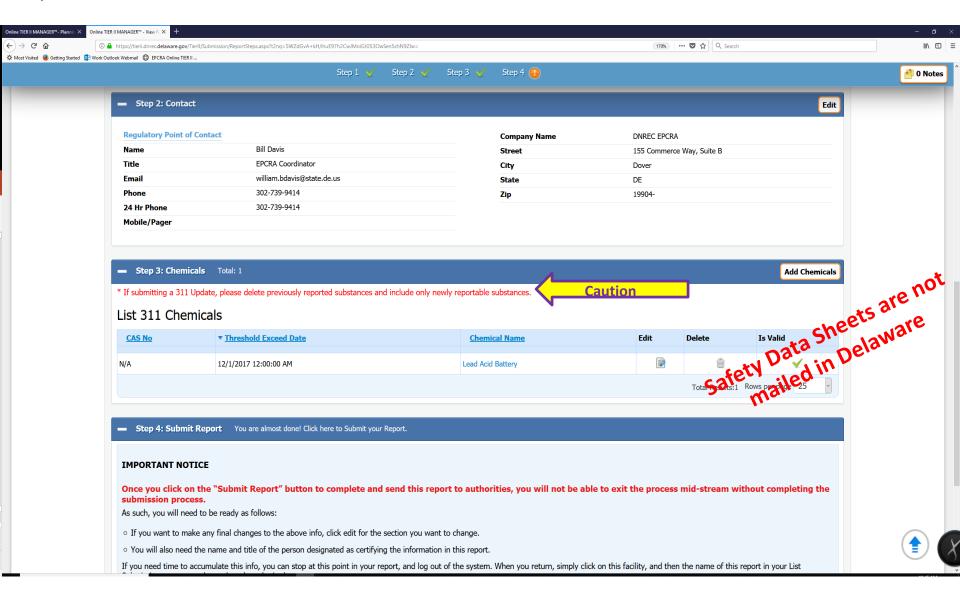
Version: 5.2

This also looks very similar to a 312 submission / Tier II Report...



...there are only 4 steps:

### Step 3 is "The List"...



...there is no Site Plan or Fee

### Before You Proceed

- Do you have a *TierIIManager*<sup>TM</sup> account?
  - remember the password?
- Web-browser OK?
  - IE<sub>11</sub>, Chrome<sub>62</sub>, Firefox<sub>59</sub>
- Have a copy of the instructions handy
- Read & Follow the "Important Notice" at the Introduction and Guidance log-on
- OK for on-line payment? By statute, fees are due by 3/1; plan accordingly if mailing a check.

### **MISCELLANEOUS TIPS**

- Be in compliance with OSHA Hazcom 29 CFR 1910.1200 and/or *Delaware Worker Right-to-Know*
- Tie-in with procurement, inventory-control staff
- Have a compliance calendar
- Familiarize yourself with EPCRA background
  - Read Wikipedia article
  - Checkout EPA's EPCRA website (State more stringent)
  - Checkout DNREC-EPCRA/SERC websites
  - Know your LEPC chair; facilities with EHS's are required to communicate with the LEPC

# Any Questions?

**Delaware EPCRA Reporting Program** 

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